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THE FAMINE IN INDIA.

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THAT recent happy accord of the two great Anglo-Saxon nations, England and America, which, under the name of the "Treaty of Arbitration," approaches, as all good men hope, final ratification, and which will mark a new epoch in the history of Christian civilization, brings with it a special necessity. This is that the two peoples should continually better and better understand each other. Every sincere effort, however humble, towards such an end is permitted and desirable, and consequently I have gladly accepted a request to lay some of the chief facts regarding Indian famines, and the present visitation in particular, before the American public, that they may more justly judge the stupendous tasks undertaken by the Queen's government in India, the faithful spirit in which that government administers its prodigious charge, and some of the reasons why, without expecting any such complete success as is really impossible in saving the lives of the imperilled millions of our Indian fellow-subjects, American observers may perceive the sincere nobility of England's purpose, and may appreciate—nay, even admire—a self-imposed responsibility without parallel in the history of righteous and capable rule.

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All countries depend for existence on that wonderful dispensation of rain which, lifted in the form of cloud from the ocean by the rays of the sun, and wafted back to the original river sources, descends to fertilize the earth, thus furnishing an analogue of the circulation of venous and arterial blood in human bodies.

Well does the Koran praise Allah for his gift of that soft and serviceable tribute of the sky, "which might be black and bitter if he willed," a true and exquisite miracle of nature. But India positively lives by the rain, as a child by its mother's breasts. Twinned like those maternal inventions of creative beneficence are also the sources of India's sustenance, to wit, the southwest and the northwest monsoon. From May or June until September, with the first there comes, almost all over the Peninsula, after the hot weather, and what is called the "*burra choop*," or "great silence," a copious flood of rain, turning the dry, yellow soil into emerald green as if by magic; this is the sign for beginning agriculture. If all be well it will soak the land sufficiently to let the peasant get into it first the *kharif*, or summer crop, to be reaped in the autumn, and next the *rabi*, to be sown later, and reaped in the spring.

The *kharif* sowing is principally of millets, pulses and rice—the *rabi* sowing is of wheat, barley, and certain late leguminous crops. But unless the southwest monsoon has brought very copious and constant downfalls, India always eagerly expects that the northeast monsoon will repair the supply by supplementary contributions during November and December. The *kharif* crops are of both early and late kind. The *rabi* crops take four months to come to harvest. Here then, speaking broadly, is the ordinary programme of India's agricultural year, and such, with certain alterations in the seed-sowing of *kharif* and *rabi*, is the usual rotation system of the Indian farmer. Every now and then the cycle is not exact, and because of spots on the sun, or reasons remaining unexplained, Nature's accepted plan goes amiss. By one or both monsoons the fruitful water is withheld, or is given only from niggard clouds; and then, in all epochs of India's history, death in his most cruel shape has stalked over the land and has slain the ryots and their families by millions.

See what it means, moreover—on what a colossal scale of

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horror and ruin—this fatal event of a deficient rainfall. To feed only the Northwest and Oudh takes fifteen and a half million acres; to feed Bengal fifty-four and a half millions; to feed Bombay twenty-four and a half millions, and to feed Madras thirty-two million acres of properly watered lands! The population of these—only a portion, remember, of the vast country—would mount up to at least 115 millions of souls, and, speaking generally, they all depend in less or greater degree upon those timely *kharif* and *rabi* rains. Americans, with huge areas of soil still happily left to conquer, may ask why the area of cultivated ground is not increased. The reply is that, enormous albeit Hindostan appears in extent upon the maps, there is not much good ground remaining to be taken up. There are rich regions where the climate is deadly, as in the Terai; there are poor tracts where population is scanty; but neither for the old-fashioned Hindoo peasant nor for modern men with new methods and machinery does there exist any considerable margin of unused soil.

Could, then, the native cultivator double his yield by manures? He certainly employs none which are artificial and imported, like the nitrates; but he knows what he is about with his own simple materials, and when high authorities mock him for using up all the cattle-droppings for fuel cakes, he laughs silently because he knows that the ashes of *gauri* are just as precious to the soil as the natural commodity unburned. But practically the tilth is never seriously mended in India, except close to the villages and for sugar-cane, opium, or garden crops, unless it be by burning and scratching into the red or grey soil some jungle branches and dead leaves.

Neither have Western machinery nor scientific farming methods found any success. What can Sussex, or even Massachusetts, do with the husbandman who will insist on carrying a plough or a wheelbarrow upon his head, and whose fathers for 3,000 years past have stood upon a pointed stick drawn by a buffalo in order to make a two-inch furrow. The Hindoo lives directly and placidly from the bountiful hand of Heaven, which he calls "Indra." Dwelling in his village he tills only so much of the culturable jungle as can be easily reached morning and evening by his slow-moving cattle. He has not the

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capital nor the mind for costly Western implements; and his winnowing-machine is still and always the wind blowing from Heaven. *Jowarri* and *bajri* are for the humble; wheat, flour, and rice for the Brahmans and the rich, with plenty of *dal* and pulses to make up for the meat which the strong Sahib and savage Mohammedan devour. Such is his simple fare—millet-cakes and boiled leaves of rape and gram with Mhowa fruit, mango, plantain, and cocoanut—by these the blameless existence of the Hindoo sustains its innocent span. Fowls and eggs are held by most in abhorrence; no cheese is so much as known; and about 180 millions of that wonderful people never taste animal food at all, unless in the shape of milk, curds, and *ghi*, which last is clarified butter.

Thus all hangs upon Indra and the rain. If the southwest monsoon is exceptionally late in setting in, or premature in its cessation, or scanty and irregular, or excessive during its period of duration, great mischief may be done, and any failure of the rain at this season is damaging not only to the crops then growing, but also to the winter crops which are sown after the monsoon stops, and to which a thoroughly moistened seed bed is essential. The early and late falls are looked for to soften the soil and admit of the ploughing preparatory to sowing the *kharif* in the one case and the *rabi* in the other, and delay in putting in the seed beyond a certain period is prejudicial to the growth and maturing of the crop. The millets and pulses of the *kharif* crop are hardy plants, and can bear a great deal of irregularity; but any partial cessation of the rainfall exceeding a month in duration, or, as it is called, "a break" in the rains of the monsoon, will do them great injury, especially if, as is sometimes the case during such a break, a hot, dry wind also sets in. Rice is more delicate, and perishes if the plants are either too deeply submerged, or their roots left dry for a very few days, and for this reason the winter rice of Bengal and the sea coast is a precarious crop, dependent on the continuation of rainfall in September and October, after the monsoon has generally ceased in Upper India.

In such words official documents in India have recognized the importance of the God of Rain, and the Queen's government alone, among all past and present rulers, has undertaken the daring, the extraordinary charge, to supply the shortcomings of

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Indra. Bygone Maharajahs and Mogul lords did much for policy, rather than philanthropy, in the way of helping Heaven by tanks and canals, and India is the best-irrigated country in the world except Lombardy. Great princes, chiefly for the sake of revenue, made those marvellous "anicuts" and "tars" and "jheels" of Mysore, Madras Hyderabad, and Karnul, and private people have everywhere sunk the innumerable and most useful wells, for there is always water under the dry soil at from ten to forty feet, and the Sanskrit Mantra says, "He who plants a tree begets a son, and digs a well goeth to Swarga." But ruling, as God knows we do, for the sake of the Indians first, and for revenue and reputation and power afterwards, the British in India have outdone all ancient works of artificial irrigation by such vast gifts to the land as the Ganges Canal, the East and West Jumna Canal, and those of the Bari Doab, of Agra, of the Lower Ganges, and the Soane, and the Sirhind. These cost tens of millions sterling and water millions of acres, otherwise arid, and far more quickly, too, than the bullock and the well, where the one leathern bucket, the mussak, asks six days to give to one acre its needful drink. Of course, where there is water there is always plenty. The Indian earth, lying red and yellow under the ever-fierce sun, demands but moisture to break into verdant foison, and the rich black soil of the Deccan will of itself hold water enough for every crop in ordinary years.

And now, see what this means: that the Queen's government in India has solemnly and publicly accepted responsibility to the utmost limit of its unchecked power and enormous wealth, for all those years when the shortcomings of Indra and the fault of the still incomplete irrigation works bring the people to the "noose of Yama." The average population in the districts under our rule is 211 to the square mile. Oudh, Bengal, and the Northwest Provinces show an average of over 400. I should put at about 200 millions, all told, the tale of souls within the Queen's India, excluding feudatory states, and of these 140 millions would be Hindoos, 45 millions Mohammedans, and 15 millions of all the other religions. A vast preponderance of this population is rural. In Bengal, the Northwest and Oudh 93 per cent. of the people live in villages, of which, taking all India together, there will be, say, one village for every two square miles.

Here is an interesting and valuable table of the propor-

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tions into which the adult male population is divided as regards employment :

	Per cent.	Estimated number of adult males.
Professional, including government service..	3.6	2,232,000
Domestic	6.2	3,844,000
Agricultural	56.2	34,844,000
Commercial	5.2	3,224,000
Industrial	13.1	8,122,000
Laborers	12.3	7,626,000
Independent and non-productive	3.4	2,108,000
	100.	62,000,000

Of those 2,232,000 classed as professional, about one million are employed under public authority, and include 223,000 police and village watchmen and 571,000 municipal, local, and village officials; about another million are employed in private professions, 629,000 being engaged in religious or charitable duties, 189,000 in literature, science and education ; 218,000 in the fine arts.

Thirty-four and three-quarter millions, or 56.2 per cent., are returned as agricultural. As to this it must be remembered that :

(1.) The agricultural population is not restricted to adult males, large numbers of women and children being engaged in agriculture.

(2.) Many artisans and professionals, besides their trade, own and cultivate land, and must be added to the population that lives on the soil, as must also the greater part of the laboring population. So that, speaking broadly, it is probable that 90 per cent. of the rural population, or rather more than 80 per cent. of the total population, is closely connected with the land.

Now, therefore, the immense problem grows plainer and alas ! darker. All India depends on the rain, and 80 per cent. of her children quite directly—so that when dearth-years come the laborers, the weavers, the potters, and the beggars, making about 40 per cent. of the 200 millions, begin immediately to famish, the rest quickly following. This is always the case. I find in the Blue Book just issued to Parliament the usual notice :

"In all provinces classes on relief are mainly low castes and laborers, with many weavers in Madras, Bombay, and Central Provinces, specially employed in weaving."

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Let me take from the same publication, which is only a few days old, the open repetition of that solemn pledge which the Queen's government has undertaken in the face of the world and of India, to fight for all these lives of Her Majesty's dark-skinned subjects, as though it were a great war waged for vital Imperial interests. Lord Elgin and his Council, dating from Calcutta, December 23, 1896, wrote to the Secretary of State for India as follows :

"On a former occasion, when Southern India was suffering from famine in 1877, a sum of something like £700,000 sterling was collected in England to be applied in India to the alleviation of distress. The application of this money led to a correspondence between Lord Lytton's government and the Secretary of State of that time, which terminated with Lord Cranbrooke's Despatch No. 46, dated 16th of May, 1878, and which the Famine Commissioners had before them when they discussed the subject in paragrapns 187 and 188 of their report. In the course of that correspondence it was laid down 'that the government is responsible, as far as may be practicable, for the saving of life by all the available means in its power,' and that 'it is not proper or expedient that the government should ask for private subscriptions to supplement its own expenditure on famine, especially as it is clear that such subscriptions can make no appreciable difference' in the amount of an expenditure which must be reckoned by millions. To these principles we steadfastly adhere."

Let these official words be noted. Her Majesty's government to-day, as before, adhere to the principle of "saving life by all the available means in its power." In accordance with such an unparalleled vow of duty, never accepted before in the annals of Empire, an all-embracing "Famine Department," has long been established, a "Famine Fund" has been instituted—officers of keen ability and devoted energy watch, inspect, enquire, and report constantly and ubiquitously, and the Indian people, so far as it knows or cares anything at all of politics, knows that the British Raj, as no conqueror, or power, or mighty Maharaj ever previously attempted, this British Raj which keeps th *burra choop* for them—the "Great Peace"—and lets scrupulously alone their religions, their women, their liberties, and their property, stands also self-charged before Heaven with the resolve to rescue them from death and misery at cost, if needful, of the last rupee of the Sirkar's treasure chest, whensoever that wrath or indifference of Indra comes against it. The ancient governments offered little or no resistance, believing, indeed, that "the sky of brass and the soil of iron" was merely the Divine way of

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preventing the inhabitants of India from quite out-growing the productive capacity of their land.

You will hear in America echoes of those voices, ill-informed, egotistic, prejudiced, or positively treasonable and mischief-seeking, which say that India is unfairly taxed for army expenses, for home charges, and domestically. Do not believe this, until the true figures have been examined and compared with those of old times—of Akbar and the Peishwas—and then those figures, properly understood, will satisfy all reasonable minds that this great guardianship of India—committed to Britain for divine purposes—is as honestly and unselfishly conducted, as regards finance, as it has been gallantly won and heroically defended by arms, and faithfully and unsparingly ministered to by those silent lovers and servants of India, her matchless civilian officials. To keep the land safe from exterior dangers, to organize and maintain that vast machinery of internal administration, to toil unweariedly under that fierce sun at the material development of the prodigious peninsula, while always standing on guard as concerns the Muscovite, and the monsoons—these things necessitate a full treasury and a well-paid *personnel;* nor is there a point in which the economy and honesty of Indian finance might not find a fair defence. Suffice it to remark on this head that while the land revenue, now much reduced from bygone rates, is really a quit-rent paid to the government as landlord in accordance with immemorial Hindu and Mohammedan customs, the salt tax, so much clamored about, does not cost the individual peasant more than sevenpence a year, while the total fiscal burdens, producing thirty-seven millions sterling, may be set at four shillings per head. Here is the authoritative truth about the Queen's assessments as regards those whom the famines chiefly affect :

"The agricultural laborers pay taxes on their liquor and salt, amounting to one shilling and eightpence (or 13½ annas) per head, or each family pays about a fortnight's wages in the year. The artisans pay about two shillings (16 annas) each, or about the average earnings of five working days. Traders pay three shillings and threepence (26 annas) each. But any native of India who does not trade or own land, and who chooses to drink no spirituous liquor and to use no English cloth or iron, need pay in taxation only about sevenpence a year on account of the salt he consumes personally; and on a family of three persons the charge amounts to 1s. 9d., or about four days' wages of a laboring man and his wife."

Since, then, there lies no undue burden on these poor and gentle peasants; since India is naturally so fertile that, besides feed-

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ing her own two hundred and seventy millions she sends abroad in certain years thirty million hundredweight of grain and pulse, and twenty million hundredweight of rice; since Her Majesty's government stands openly bound to save her from famines at whatever imperial cost, how is it that we have failed in past visitations to rescue from perishing a terribly large number of people, and shall, too, probably witness the termination of this present dearth mournfully marked by another awful loss of innocent lives; for sanguine indeed would be that Englishman of adequate information who hoped to escape from the dark story of 1896-97 without deaths reckoned by the lakh—perhaps by the crore. To answer this I must go deeper than all official documents, and explain some of the hidden social causes in India that render absolute victory in these vast and honorable periodical struggles of the Sirkar with Destiny sadly impossible and never to be expected.

Civilized citizens, accustomed to an elaborate and expensive system of poor relief, have perhaps never asked themselves what is the ordinary social and civic manner in India of providing for the pauper population. I remember being asked by a newly appointed President of the Poor Law Board in one of Mr. Gladstone's Cabinets to talk with him about his new portfolio. "Why not begin," I said, "by examining the methods pursued in such a land as India? With a subject population of 200 millions, and 70 or 80 millions more, practically dependent upon Britain, the lessons of such a field ought to teach you much!" "Bless my soul, yes," he ejaculated, "I must look into that! What is the Poor Law system of India?" And mightily astonished was the able Minister when I replied, "There is none at all!" Yet so, indeed, it is; and the reasons of this, immeasurably creditable morally and socially to the Hindu people, are well worth grasping by such as would comprehend the inner aspects of Indian famines. First of all, India is the home of the Ideal—religious, metaphysical, and domestic—to an extent which makes those ridiculous who speak of her creeds as ignorant, or her inhabitants as "heathen." You never see any but the most wretched woman begging for alms there. Why? The explanation proves how elevated, even if mistaken, the average moral sense is of the people. Every woman, not deformed, or an outcast, or insane—at least in the higher castes—has been betrothed at an early age to a boy, whose

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household thenceforward adopts her entirely. If the little husband dies, before or during marriage, the disaster is regarded universally as the penalty for sins committed by the female in a previous life. The widow must submit, and will submit, not marrying again, but hoping, by patience, to rejoin her lord after death, and his family will, until her demise, loyally support her, for his sake. Practically these views obtain all over the land, and as every female child becomes betrothed all women are definitely provided for. If the rash ardor of certain crude reformers could have its will, and alter this, so as to promote the remarriage of Hindoo widows, all those who became wives for a second time would find neither of the two allied families willing to sustain a wife belonging in the next world to two husbands, or to none at all. Besides this, the sentiment of the *Bhao-bund*, or blood relationship, is all powerful in the land, and never repudiated. As also in Japan, where there are no poor laws and no paupers, the ties of kinship are everywhere acknowledged, discharged, and repaid; and the household cakes will be distributed to all who put forth the claim of poverty, hunger, and relationship. Add to all this, that charity is not so much a virtue, in India, as a habit, a religious necessity, an indispensable passport to further prosperous existences, and it will be seen why India, in a most tender and effective manner, fulfils the law which Christians only, or principally, talk about. A Sanskrit verse says that

"When the door is rudely fastened, and the asker turns away,
Thence he bears with him thy good deeds, and his sins on thee do lay."

And any one who reads my story of Sita and Bularam, an episode of the poem entitled "In an Indian Temple," will discern to what terrible lengths can go the passion of hospitality, and the sacred ardors of charity in India. And what the upper caste do the lower largely imitate, so that at the beginning of a famine there is always an immense taciturn effort everywhere to do all for herself with India. Her people bow to the will of the gods, and shift alone as long as possible, and long after the latter rains have failed, and distress ought to be loudly proclaimed, they eke out with humble pride their failing stores of meal and pulse by bamboo seeds, jungle fruits, boiled leaves of trees, and the *conjee* of thrice-cooked rice.

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Then, again, the self-respect of Hindus is prodigious; and they "lose face" in applying to any save a kinsman for food, which indeed, as many Americans will know, is, especially if thus obtained, uneatable for high-castes when not lawfully prepared. A Hindu servant whom I desired to cure surreptitiously of his deadly weakness after fever, by beef-tea, told me, quite sweetly, that he would have poisoned me, upon recovery, if I had carried out the idea. Again, the *purdah-nashin*, the "curtain-dwellers," those women who must not be seen in public—a foolish fashion adopted from the Mogul, and never really Aryan—cannot announce their misery, nor take an alms-bowl to the Relief Camp. There is a vast category of these—women and children—who begin slowly and certainly to perish as soon as the famine begins, and who must and will succumb at last, unreached by the great hand of the government, or only reached when despair has brought them—haggard, wasted, and shameless—to snatch that last meal, which is desperately craved for, but the very eating of which is poison to the enfeebled and ulcerated stomach.

And this last remark brings us to one most subtle and fatal fact about Indian famines—so momentous in connection with any hope of successfully contending with those scourages that it has always to be borne in mind from the very outset. I ventured, indeed, in a recent conversation with Lord George Hamilton, at the commencement of the present trouble, personally to draw the minister's particular attention to it. Starvation is essentially a slow disease the fatal crisis of which really arrives early, and oft-times unsuspected by the victim and his would-be helpers. The physical condition of the Hindu race is not a strong one. Lofty as those Buddhistic doctrines are, which Brahmanic India has adopted from "The Light of Asia," about abstaining from the slaughter of animals, and from flesh-food, human bodies are all, I fear, imperfectly fitted by nature for an exclusively vegetable diet, which must, moreover, be consumed in large bulk to get adequate nourishment. The Hindu mothers allow their little naked children to eat boiled rice until the string tied round them appears buried in the skin of the distended stomach, and from youth to age the people are badly prepared internally for the crisis. Under daily stress of hunger the mucous membranes become impoverished, and their functions impaired. The little store of fat in the tissues wastes quickly away. The poor, thin

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blood lacks current and substance to feed the failing limbs; and the man or woman has really died weeks before that day upon which—walking skeletons of bone and shrunken skin—they have found the government distributor, and, with or without some futile effort to carry a basket of earth or break some *kunkur*, have taken with lean fingers the food which they could no longer digest—food which, as I have said, actually poisons them by setting up in their stripped intestines a wasting diarrhœa. This is how scores, perchance hundreds of thousands, of victims, will this year perish, with the Queen's bounty in their hands and the savor of the goodly nourishment in nostrils already pinched by death. Furthermore, there arrives in the latter stages of the famine-death, after those fiercer pangs of the hungry belly, and those first furies of the starved body, a horrible lethargy, the expression of a brain fed with pale blood deficient in volume and nutrition. In this condition the miserable victim has already really ended his existence, albeit apparently alive. That sad and gaunt spectre which the government officer has just pitifully accepted as a candidate for "free doles" died last moon in the far-off village to which he has clung too long. It was a corpse to which the warm *conjee* was so kindly granted. He, patient sufferer, is defunct now almost before that rice broth had cooled which might once have been his salvation.

It must be mournfully added that the chronic insanitation of Indian towns and villages adds measureless perils to famine, weakening many who might have tided over a brief time of fasting to the finishing point of fate. British hygiene has done something for the cities in the way of pure water, civic regulations, medical dispensaries, and so forth. It might do more if properly supported by the sluggish native municipalities. But if the death rate of the Peninsula, even in ordinary seasons, were closely studied, it would be seen what a mere "bagatelle" the loss of even five million lives by famine is, contrasted with that "15 per thousand" which is the average *excess* rate of Indian mortality-records over those of London or Boston. Nay, that Indian death rate often rises to 100 per 1,000, and the only medical solace is that the survivors must be protected by an inherited immunity. Graceful and picturesque and pastoral as must seem to the traveller that Hindu village existence, where all is

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so peaceful and so sunny, the sanitary expert shudders at what he sees—and smells—about the lively tank and around the gossiping well. An official report says very truly :

"The Indian village is subject to one class of unhealthy influences, which sufficiently accounts for the chronic low condition which makes the inhabitants ready victims of famine or epidemic disease. The inadequate and impure water-supply of a year of drought is only an exaggeration of the deficiency and impurity which are at all times the characteristics of too many cities and villages. Wells, even where deriving their supplies from uncontaminated sources, are often liable to many forms of pollution ; and the ordinary tank, in which personal ablutions, washing of clothes and utensils, and watering of cattle are alike conducted, becomes in time of drought a source of pestilence."

At the hour when I write these lines, all who know Indian domestic life in the towns and villages are shuddering at the thought that the new bubonic plague, which is an importation into the Peninsula from China, may join hateful and horrible hands with the famine and stalk together through the decimated swarms of the native population. Hitherto there has not been any marked contact between the two. Bombay, Kurachi, and Poona, where this evil pest has appeared, are all very well-fed centres. But if such a combination should strike certain regions which figure dark upon the famine map, even the power and wealth and splendid dutifulness of the Queen's government in India would probably stand paralyzed and nerveless before such a human catastrophe as history has never yet chronicled.

It is necessary, for any completeness of view, to say something about the methods of supplying grain foods in India. Never does a famine year occur but voices arise clamorously bidding the Sirkar to purchase and import vast quantities of cereals wherewith to rescue the peasants. Happily no Indian Viceroy has been or will ever be so ill advised as to comply with that mad demand If he did, he might indeed freight a mighty flotilla of steamer with bags of rice and casks of flour, and just when the rain fell, and the stress was ending, he might display a handsome but useless stock in trade as a colossal corn-merchant. But he would have killed dead the trade of the Bunya, and by that same man and his little shop—much abused as they both are—the Hindu people contrive to exist. Squatted in the midst of their sacks and pots filled with lentils and millet, rice and maize and barley and grain, Bapoo and Gunesh, the village corn-chandlers, are the pipes

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by which the vast ordinary fertility of India flows to her children. In olden days the pipes ran unevenly because of the distances of place from place, and consequent bad communication for produce. Even now if the total out-turn of foodstuffs in the land could but be spread by some mechanical and commercial miracle over the entire surface of its necessity, India would see very few die of famine in her confines before next May or June bring the glad rain and good low prices. At this moment a rupee, which will only buy nine seers of corn in Sholapore, easily purchases twenty-six seers in Kashmir. But the main future hope of the country is to get this equilibration of supply achieved by the indigenous agencies helped—nay, it may be, forced—by the ever-developing improvement of roads and extension of railways. There is this fortunate point about a bad famine year, that it starts all sorts of deferred rural and municipal works, and in that way provides fresh weapons for a future battle. Each sad campaign of this brave war of redemption turns faults into lessons, and leaves the forces of beneficence stronger. Whatever the government can do in lowering the railway rates for the carriage of grain, facilitating steam transport from the foreign rice markets, remitting dues, and doubling official solicitude, it does by long habit of vigilance and liberality. But it must never turn grain-dealer. Too true it is that Bapoo and Gunesh—those useful but crafty shopkeepers—make sharp use of a dearth to pile up their profits, and that in many a spot there are grain pits, and the *goladars* filled to bursting in the midst of people dying or dead of hunger. But India would be lost, indeed, in the future if her ancient mode of supply were frightened out of being by the crushing competition of the Sirkar in the market. It is a thousand times better that the indignant mob should, now and then, beat to death with their *lathies* an unscrupulous *marwarrie*, or a wicked *bunya*, who will not sell his grain at fair prices, than that one rash if splendid act of imperial impatience in this respect should paralyse India's immemorial custom—usually a very effective custom—of distributing the food-stuffs to her population.

It will be seen, by this stage why, when London, through her present very distinguished Lord Mayor, desired to start a compassionate subscription for the famine-stricken, eastern portion of the Empire, there was official hesitation on the side of

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the Viceroy and his Councillors. So late as December 17, 1896, we find Lord Elgin telegraphing:

"We venture to recommend no action be taken in England in regard to subscriptions for the relief of distress in India until the situation has more fully declared itself. Definite decision depends upon winter rains."

Some public outcry was made at this, and the Mansion House subscription has since been set on foot and has attained already generous proportions. As a manifestation of sympathy and deep desire to help our distressed fellow-subjects in the East, those kindly donations now pouring in, that noble list of rich and well-to-do Londoners and others freely giving, after the example of Her Majesty, who heads the honorable catalogue, possess indubitably an infinite value. On the last similar occasion the then Chief Magistrate of London was enabled to send seven hundred thousand pounds sterling to the Indian authorities, and, no doubt, a very handsome amount will be despatched by the present Lord Mayor, Mr. George F. Phillipps, before the stress and the subscription close together. Yet, from what has been written, it must be perceived that any such effort of private charity, in face of so prodigious a calamity, is really like sending a basket of fruit or a bouquet of flowers to a sick friend as far as any substantial aid from the movement can go. At the time when Lord Elgin sent that message he was spending a lakh of rupees and more per day in actual relief of famine victims, the number of whom was given at 1,183,000 even at that early stage. He has to confront the dread days of February, March, and April; for little help can come from land or labor or fall in prices before May and June. The daily lakhs now being expended will swell to weekly crores; the returns of destitute men, women, and children whose mouths the Sirkar must fill will mount to millions, and, in presence of such a prospect, a few hundreds of thousands of pounds from sympathizing British citizens cannot seem to those primarily engaged in this great battle of life and death more than a trivial and merely complimentary matter. The Viceroy and his officers will have to lavish imperial treasure with "both hands" to fight, perchance, the plague as well as the famine—to make war against the offended Hindu gods for the rescue of the Indian people, all with the sad certainty that failing some happy caprice of nature they can only win in the end a drawn battle. Like bugle notes, however, before the fighting, sound forth these general orders and

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declarations which we take from Lord Elgin's latest printed despatch:

"Relief arrangements adequate. In connection with the present distress, machinery previously elaborated has worked well, and organization being rapidly expanded to meet growing demands.

"Numbers on relief will now increase rapidly, and continue to grow till reaping of spring harvest in March, April, gives employment, and must remain large until Autumn crops reaped in September.

"Landlords, often assisted by government loans, doing much for their tenants, and private charity active, especially in larger towns. Advances are being freely given by government, generally without interest, for construction and repair of wells and embankments to extend and secure spring crops, and for employment of famine-stricken in agricultural improvements.

"Stamp duty remitted in case of all loans, public or private, for relief of distress.

"Government forests thrown open to grazing and extraction of jungle products, and surplus grass sent as fodder to affected tracts.

"Food stocks reported ample in Burma; adequate in Madras, where rayats of affected tracts hold large stocks; sufficient for a year in affected districts of Bombay generally; sufficient in Punjab, where dealers of one affected district said to be holding up enormous stocks through southeastern districts, importing from Sindh; sufficient for the present in Northwest Provinces and Oudh and Central Provinces, where spring crops are expected to carry them on to autumn harvest; and, except in one district, sufficient for the present in Bengal, where rice can be promptly imported from Burma.

"Adequate arrangements have been made for supply of relief camps inland.

"Railway rates for grain have been reduced.

"Government has publicly proclaimed its rigid policy of non-interference with private enterprise, and abstention from purchase on its own account, save possibly in definite tracts, under special conditions of difficulty."

It will be seen in what a high and stern temper of honor and duty this British government in Calcutta sets itself to the periodical task of contending against nature for the vast multitudes of human life entrusted to it. And it will save lives by the million, while it perhaps loses—inevitably loses—so many millions for the reasons above displayed. But assuredly here is a spectacle of conscientious rule which effectually justifies our presence in India, which makes our Raj there a fact welcome to humanity and to civilization, and which may especially impart satisfaction to intelligent minds in the United States, since the credit of any such measure of success as these faithful Indian officials shall attain against odds so formidable belongs to the genius and to the energy of our common race.

EDWIN ARNOLD.

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PRISON LABOR.*

BY CARROLL D. WRIGHT, UNITED STATES COMMISSIONER OF LABOR.

THE prison-labor question is ethico-economic in its character. It is to a greater degree ethical than economical. This is true both from the point of view of the State treasury and from that of the producer of goods and the wage-earner.

The only statement for the whole country as to the relation of the earnings of State prisons to the expense of running and maintaining them fully is for 1885, as given in the Second Annual Report of the United States Commissioner of Labor. At that time, taking all the institutions of the country into account whether conducted under one system or another, the total labor income was 49 per cent. of the running expenses and 35 per cent. of the total expenses. By "total expenses" is meant all expenses for repairs, construction, etc., beyond the purely current running expenses. If the expenses and income under the lease system, which has been a source of profit, be eliminated, the labor income under all other systems was 46 per cent. of the running expenses and 32 per cent. of the total expenses. Therefore, while here and there a prison has been made to pay, in the sense of bringing into the treasury more money than was taken out of it, the rule is, and has been for many years, practically as shown in the federal report cited. At the present time the

* The official reports consulted are the Tenth and Eleventh Annual Reports of the Massachusetts Bureau of Statistics of Labor (1879, 1880); Second Annual Report of the United States Commissioner of Labor (1886); Eighth Annual Report of the United States Commissioner of Labor (1892); Report of the Commissioner of Labor for Michigan (February, 1884); Fourth Biennial Report of the Bureau of Labor Statistics of Illinois; State reports on convict labor of New York, Ohio, Pennsylvania, New Jersey, Connecticut, Iowa, Wisconsin; recent reports of Hon. Austin Lathrop, Superintendent of State prisons for the State of New York; "The Unavoidable Uselessness of Prison Labor," by Sir Edmund Du Cane (*Nineteenth Century*, October, 1896); "Condemnation of Criminals not Punishment," address by Edward F. Brush, M. D. (*Popular Science Monthly*, February, 1897).

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proportion of expenses derived from prison labor is less, undoubtedly, than ten years ago.

Considering the labor and product account, we find that in 1885 the total product of all the penal institutions amounted to $28,753,999, which was $\frac{54}{100}$ of 1 per cent. of the total value of the products of the manufacturing industries of the country in 1880, while the total product of the higher penal institutions only, that is, prisons of the grade of State penitentiaries, was $24,271,078, equivalent to $\frac{45}{100}$ of 1 per cent. of the total value of all manufactured products in 1880. In 1895, as shown by Bulletin No. 5 (July, 1896) of the Department of Labor, the total product of the higher penal institutions only in the United States was $19,042,472, being a little over $\frac{20}{100}$ of 1 cent. of the total value of the products of the manufacturing industries of the United States in 1890. These values, both for 1885 and 1895, are for the value of the goods after the materials have been manipulated by the prisoners. They do not represent the value which has been added by them, but the value of the materials on which work has been bestowed and the work itself. From a wage point of view, the labor of convicts in 1885, from which resulted a product of the value of $28,753,999, amounted to only $3,512,970, or $1 of convict-labor wages to $8.19 of finished product of the labor of convicts. The ratio at the present time is probably less. The total value of the labor expended by the convicts in the State penitentiaries and prisons of like grade at the present time does not much exceed $2,500,000, or a little more than $\frac{1}{10}$ of 1 per cent. of the total wages paid in the manufacturing industries of the country in 1890.

Thus it will be seen that, whether the State treasury is considered or the competition with labor taken into account, the prison-labor question, from a purely economic point of view, need not excite much attention. It is perfectly true that here and there the products of prison labor enter into sharp but very brief competition with goods made outside, and the fear that prices may be lowered and wages affected injuriously by throwing prison-made goods on the market is thus created. In the many investigations which it has been my privilege to make in relation to the prison-labor question I have found few instances where prices have been affected in the least, and never a case where wages have been lowered in consequence of the employment of

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convicts in productive industry. Nevertheless, the moral effect of the supposed competition and of whatever real competition has occurred has been sufficient to create a demand in nearly all the States of the Union for some regulation of the employment of convicts under which competition can be entirely or largely removed, and for the last twenty years or more political platforms have often contained a paradoxical plank demanding that convicts should be employed, not only as a matter of health but as a source of revenue to the State, but in such a way as to relieve honest industry of competition. It is an absolute impossibility to prevent competition if convicts are to be employed in any way whatever. It must be admitted by all sane men that they should be employed and constantly employed upon intelligent labor. The problem, therefore, so far as the economics of the question is concerned, is either to reduce the competition to the lowest point or to manufacture goods in such a way and under such conditions that prices and wages can in no sense be affected. This is the whole of the economic side of the question from the productive point of view.

The ethical side of the problem is far more important, not only in the interest of the community at large, but in the interest of the wage-earners. It is also the more important side of the question when the prisoner himself is considered. No State, under the ethical aspect of government, has any right to expect to make profit, or to permit contractors to do so, out of the labor of prisoners when this profit is at the expense of their reformation. No man with a particle of humanity in him would, for a moment, demand that prisoners should be employed in the old, cruel and barbarous systems known as penal labor, such as running a treadmill or turning a crank. The revolt from these methods, however, carried prison reformers to the opposite extreme, and they assumed that men in prison should be set at work in the same industries and under the same methods existing outside of prisons.

Their position was plausible, their theory fine and probably sound if it had been possible to reduce it to practice, but the reformatory elements came in to defeat their purely theoretical plans, and it is now considered by intelligent penologists that the whole system of prison labor should be adapted to the reformation of men.

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In the address of Doctor Brush,* it is stated that: "All men of a scientific turn of mind who have made a study of criminal anthropology are fast approaching the physicians' position regarding such questions. Every criminal is more or less a diseased portion of the body politic; some can be saved, some must be removed, and some must be destroyed; but the notion of punishment should not complicate the judgment in deciding what disposition is to be made in either case. The insane were formerly regarded with feelings of hatred and vindictiveness, but to-day this is only a shameful recollection." Dr. Brush might have added that the notion of making profits out of the diseased members of the body politic should be relegated to the regions of shameful recollection.

The prisoner must be approached now from the physician's point of view. The convict is a morally sick man, and society's rights and duties are limited to his cure, or if incurable, to such treatment as shall not debase him. This is the attitude of the public toward the mentally and physically ill, and why it should not be, to a certain degree, the attitude toward the morally ill is a question that will be discussed more in the future than it has been in the past. The criminal is an undeveloped man in all his elements, whether we consider him as a worker or as a moral and an intellectual being. His faculties are all undeveloped, not only those which enable him to labor honestly and faithfully for the care and support of himself and his family, but all his moral and intellectual faculties. This being the case, he should be treated in all respects in such a way as to develop his blunted moral and intellectual faculties. It is this position which makes the return to purely penal labor absolutely impossible under modern thought. Our civilization will not tolerate it; but in assuming this attitude the rights of others should be as carefully guarded as the rights of the prisoner.

The various systems which have been adopted have thus far proved ineffective from the ethical and unsatisfactory from the economic point of view. The contract system is the most profitable one which can be applied to prison labor, but the necessary presence of the contractor and his men in the prisons and among the convicts has been found to work disadvantageously

* Presidential address delivered before the Society of Medical Jurisprudence at its annual meeting, held January 13, 1896.

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when reformatory measures were being carried along at the same time. The piece-price plan was thought to be a remedy for the evils of the contract system, but the prisoners themselves soon learned that their labor was being exploited for the profit of a private contractor and that the State was getting only the minimum results. The public-account system was then resorted to, under which the institution carries on the business of manufacturing like a private individual or firm, buying raw materials and converting them into manufactured articles, which are sold in the best available market. A few years ago many labor reformers insisted upon the adoption of this public-account system, on the ground that all profits would then accrue to the State and the irritation resulting from the contract or the piece-price system be avoided. The contrary proved to be true. Under the public-account system the State or the county sold goods in the open market; but the State could not fail, and therefore it was not necessary at all times to dispose of the goods even at cost. The private contractor, in order to preserve his solvency, was obliged to get back at least the cost of his goods. The State was not under such necessity. The irritation coming from competition, therefore, was increased, and the public-account system found to be inadequate from an economic point of view, although it had some advantages from the ethical standpoint, for whatever profit was derived from labor under it was for the benfit of the public treasury. The lease system, now rapidly going out of vogue, played no part in the ethical question involved, but it was a most profitable sytem to the States which employed it. The abuses under it have brought it into disrepute.

There is now a system of labor, which is advocated very largely and which has been adopted in the State of New York as an experiment, with the motive behind it of reducing competition or practically removing all competition. Under this modified public-account system now being used in that State, goods are made for the use of the State itself in its various institutions, whether penal, reformatory, or eleemosynary, on the theory or the supposition that the State needs goods enough of various kinds to keep its prisoners practically employed. Should this prove true, the new method will probably be a solution of the economic problems involved, while the ethical demands will be

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as well satisfied as under any system that can be adopted. There are two reasons, however, to my own mind why this method may, in some degree at least, prove to be a failure. The first is that the requirements of the State of New York can be supplied through the labor of only a portion of its prisoners. A calculation for one of the States for which the facts were obtainable leads to this conclusion, for the amount of employment which could have been utilized in that State in one year was less than $50,000, if its prisons had been managed under the present New York system. An examination of the wants of the United States government a few years ago for furniture, clothing, mail bags, harnesses, wagons, infantry, cavalry and artillery equipments, clothing for the Indian service, etc., shows their value to be a little less than $4,000,000, while the total product of the prisons of the country in 1885 amounted, as already stated, to very nearly $29,000,000. The labor, then, of a very large proportion of the prisoners of the country, if this system had been uesd generally, would have been exhausted in a very few months, and idleness would have been the rule for the remainder of the year. If our State governments supported large bodies of troops and the Federal government had a large standing army, the plan might have some force in it, although in some European countries, where the consumption of goods of the coarser grades, such as shoes, army clothing, camp equipage, etc., is very large, the plan has not been made to work very successfully, for the reason stated, and because of the objections of army officers to the manufacture in prisons of the goods they require for the equipment of their forces. These objections arise not only on account of the quality and make of the goods, but on account of the impracticability of massing a force in any way so as to supply goods upon emergencies.

The second reason why the manufacture of goods for the State will not succeed to the fullest degree anticipated by its advocates has been pointed out by Sir Edmund Du Cane in the *Nineteenth Century* for October, 1896. Although that writer, one of the most intelligent and experienced in the whole world on the subject of prisons and prison labor, believes in this method of employment, he very frankly points out the difficulty arising from the great variety of patterns of articles to be made, etc. This, perhaps, may be the least of the obstacles in the way of the success

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of the system. He states that, however desirable industrial labor for prisoners may be from a moral point of view, it is impossible to apply it to more than a small proportion of those sentenced to imprisonment, both on account of the law applicable to prisons and on account of the shortness of the sentences of the large majority. He thinks the difficulties of the state-maufacture method are of much the same kind as are found in utilizing convict labor for the construction of public works.

Whatever the difficulties, they must be met and will be met, either successfully or unsuccessfully, in the interesting experiment now being conducted by the State of New York. It is to be hoped that success will follow such experiment, for while the manufacture of goods for the use of the State does not avoid competition—for outside manufacturers would be deprived of business *pro tanto*—the element of price is entirely removed. The value of the goods made can in no sense whatever affect the price of goods manufactured outside of prisons, nor can there be the slightest influence upon the wages paid in the regular industries of the State.

Mr. Lathrop, Superintendent of Prisons for the State of New York, wisely insists that work must be found for the prisoners, and he feels that the question of the employment of convicts is practically solved by the adoption of the method described. Nevertheless, Warden Sage, of Sing Sing, has adopted some measures which he thinks may be applicable for furnishing employment to idle prisoners, and so he is following some of the methods adopted at Elmira, which has been called a "technological university." A good deal has been said of late against the introduction of technological studies into prison life. An examination of some of the facts pertaining to prisons, however, may lead to the conclusion that such methods are wise from every point of view. The average age of the convicts of the United States is not far from 26 years. Therefore, the men constituting this body are undeveloped men, so far as age is concerned, and, as already stated, they are undeveloped in their moral and intellectual faculties—in fact, they are undeveloped in all directions, except to a certain extent in the criminal tendency which comes from their environment. They are also, to a very large extent, short-term men. A careful classification of the convicts of the country shows that six-eighths are short-term prison-

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ers, one-eighth incorrigibles, and one-eighth amenable to reformatory efforts. These proportions are fairly correct; they may be a little too large or a little too small, but practically they may be admitted. It cannot make very much difference what system is employed, so that prices and wages are not affected, when the short-term men are considered. There is not much to be gained, whether in the interest of the State, or of the community, or of the convicts, in putting them at work under one system of labor as against another. They must be employed; their minds must be occupied, and their hands utilized. It cannot, from the very nature of things, be worth while for the State to erect costly plants for the sake of employing them under one or another system of labor. No one can argue with reason that the short-term prisoner himself is to be particularly benefited by any such employment. The chief point to be insisted upon is that his labor shall not be debasing. If he can be employed in making blankets, furniture, coarse boots and shoes, and the infinite variety of things that may be needed in the State institutions, without the introduction of power machinery, not only the State will be the gainer, but also the prisoner himself. He does not stay in prison long enough, as a rule, to be taught in the higher methods of manual training, and what little he can learn by running some machine is of little consequence in his after life. If he stays long enough in prison, the State should see to it that he comes out better equipped to earn a living than when he entered it.

Looking at the one-eighth representing the incorrigibles, composed of men who should never be returned to society under any circumstances whatever—men of purely criminal minds, released from prison only to again return to it—it must be conceded that it matters little what method or system of labor is employed, so long as they are kept steadily at work in the interest of the State, and in labor that shall not debase them. Crime is their only element, and the whole interest of society is that they should be incarcerated for life. It cannot be argued reasonably that there is any necessity, in any direction whatever, of employing them under one system as against another; they should be kept in honorable and skilful employment; their intellectual and moral powers, so far as they are susceptible of development, should be strengthened, and they should be made to live their lives in an orderly, systematic, and honorable

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way. There can be no question, however, in regard to the method of their employment as a method, for they are not to be returned to society. If they can be kept at work making goods for the State, that is the very best thing that can be done with them, and in doing this they may learn how to use their minds and hands. The incorrigibles should not be employed, however, to the detriment of the short-term men, nor of the remaining one-eighth, which may be called the reformable portion. This one-eighth consists largely of young men supposed to be in prison as the result of some spree, or through indiscreet action, accident, or the lack of understanding the ways we call right and wrong. They are not supposed to have become convicts through criminal minds or through tendencies which they prefer to retain. Such men should not only be sentenced on the indeterminate principle, but every effort which the State is capable of making should be made to bring them into harmonious relation with law-abiding citizens. The manufacture of goods for the State, with all their variety, is the very best work on which this reformable body can be employed. If there be not work enough to keep the whole body of prisoners employed steadily, it should be concentrated upon the incorrigibles and the short-term men, while the reformable fraction of prisoners should be given the benefits of the training which Warden Sage proposes to introduce.

From a mere modernized penitentiary the Elmira Reformatory has been developed into a great compulsory educational establishment for employing felons and corrigibles. Moral, mental, and manual training have been systematically coordinated, with the end in view of turning out practical, self-helping, self-controlling citizens. As the editor of *The Summary*, a periodical published at the Elmira Reformatory (the editor himself being an inmate of the institution) puts it, the reformatory prescription consists of a trinity of M's—mental, moral, and manual training—and these ingredients have been used in varying proportions, according to the needs of the patient. The reformatory has firmly established itself as something more than an experiment, although its wise manager, Dr. Brockway, continues to rank it as an experimental station, inasmuch as opportunity is constantly afforded for the trial of plans that offer promise of aid in accomplishing the ends aimed at.

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Looking at the matter squarely, then, the economic side of the question is not of sufficient importance to demand drastic treatment. The question of profits has been lost sight of by the force of necessity. It is the State's duty to treat its moral invalids with the same fairness in recognizing their illness that it shows to its mental and physical invalids. It certainly has no right to expect to make profit out of either. Its whole duty, then, is to approach all three classes, the dependent, the delinquent, and the defective, from the point of view of the physician. Their bodies must be kept in the best condition, and their moral and mental attributes trained and strengthened. By giving more attention to this ethical side of the problem the best economic results will be reached sooner or later.

Prisons have not been so effectively deterrent as it was formerly supposed they would be; punishment has not accomplished the ends sought. Revenge is not a part of the State's duty, but the protection of society is its sole duty, and criminals are a part of society. That method of treatment, therefore, which will reduce the number of criminals and bring them back to society as cured and industrious citizens will also eventually reduce the expense to the State and the annoyance and irritation and danger which come from the presence of a body of criminals. Whatever conduces to this result, whether it be the employment of prisoners solely for the benefit of the State or teaching them how to employ their minds and hands when they leave the prisons, must be the true course; the size of the deficit in the State treasury resulting therefrom or the trifling competition which follows are of but little account. In place of the old rule for the running of prisons—profits, with incidental reformatory results, the new rule will hold sway—reformation, with incidental profits.

CARROLL D. WRIGHT.

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THE HISTORY OF A POEM.

BY EDMUND GOSSE.

COVENTRY PATMORE died, at the age of seventy-three, on the 26th of November last. In another place I have endeavored to recall the personal characteristics of this extraordinary man, and something of his conversation. To-day I hope to make some additions to the knowledge of his famous poem, *The Angel in the House*, the history of which has been almost without a parallel for its vicissitudes. There have been published exaggerated statements as to the sale of this book, but I believe it is well within the mark to say that 200,000 copies have, during these forty years, been circulated in England and America. It has been extravagantly praised and unjustly scorned, but it certainly has not been neglected by the great public, and some account of the circumstances in which so popular a poem was produced may not be unwelcome to the readers of this review, especially as Patmore lived a life of extreme seclusion, and rigorously barred his doors against interviewers. With the statement that for sixteen years I enjoyed the intimate friendship of this great writer, I close these words of necessary introduction.

In his twenty-third year Patmore became acquainted with the lady who was to become his wife and his Muse. At this time he was a thin and hungry-looking youth, the author of one small volume of unsuccessful poems. A lady who recollects him at this time tells me that she never saw him eat a mutton chop without wondering if it would be the death of him, so starved and haggard did he appear. In point of fact, however, although frail and sometimes hypochondriacal, Patmore had then, and preserved through life, a fund of muscular and constitutional health. Like many men of imagination, he was a tireless walker and a voracious eater, but indulged in no manner of games or athletic

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exercises. His brother and he were admitted in 1845 to the house of Mrs. Orme, the daughter of a prominent and popular Nonconformist divine, then lately dead, Dr. Andrews. With Mrs. Orme resided a young sister of twenty-one, Emily Augusta Andrews, whose carven features and rich color survive for us in the art of Woolner and of Millais. Coventry Patmore fell in love with her, but he had no fixed income at that time. He told me, long afterwards, that £75 represented what he had to live upon in the year which closed November, 1846, when, through the instrumentality of Lord Houghton (then Mr. Monckton Milnes), he was appointed a supplementary assistant in the Library of the British Museum.

The official salary thus secured was not wealth, and hardly comfort, but it was a competence, and on the strength of it Patmore proposed to Emily Andrews and was accepted. On the 11th of September of the next year the young people were married in Hampstead.

Dr. Garnett, whose acquaintance with Patmore began in 1851, tells me that the poet was once speaking to him of these events, when he added the quaint information that, wishing to be sure that a congeniality of taste existed between Emily Andrews and himself, he had lent her Emerson's "Essays"—still rather a new book in 1845—asking her to mark the passages that had struck her most, and, on getting the book back, was delighted to find that the marked passages were those which had also particularly struck himself. The story is characteristic, yet who shall say whether a man, genially in love, could fail to admire the thoughts which had attracted the lady of his affections? In any case, whether Emerson was their hymeneal *flamen* or no, the marriage was made in Heaven. All who have consented to recall their memories of that household unite in describing it as the most cheerful, the most graceful, the most dignified that ever was supported on such a tiny pittance. Mrs. Patmore was "a Mary in the House of God, a Martha in her own," one of the simplest, sweetest, and most inspiring women that ever contrived to make a poet happy.

In spite, however, of the unity between Patmore and his wife, there existed differences which were of essential importance. Serene and gentle as she was, Emily Patmore had very distinct views about religious matters. Her father, at the time

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when he presided over the services at Beresford Chapel, had been one of the most influential leaders among those who called themselves Independents or Congregationalists. With this Christian body, Emily Patmore preserved her sympathy, and she was, in particular, opposed to all approach of the English Protestants to Rome, holding the new-fangled tenets of the Puseyites in abhorrence. Her husband, on the other hand, was a churchman, and one whose proclivities were "high"; by the very tenor of his mind and his leaning towards ascetic mysticism, Patmore was foredoomed to become a Catholic. Long before he took the step to Rome, in 1865, he was half-persuaded to do so, and it was certainly nothing but the presence of that Protestant angel in his house which kept him a professing Anglican during her lifetime.

It would be a mistake to search the private history of the young Patmores for an exact parallel to the adventures of Felix and Honoria, but there were not a few touches which were strictly autobiographical. The name of the heroine was not, indeed, as has been incorrectly stated, that of Mrs. Patmore herself, but of her mother. In the Dean of Salisbury, Honoria's dignified and gentle parent, Patmore was drawing from fancy and report a portrait of his own father-in-law, Dr. Andrews, whom he had never seen, since he died in 1841. In lifting the whole scene a little higher in the social grade, and in particular in making his heroine the daughter of a dignitary of the Established Church, instead of a dissenting minister, Patmore was probably yielding something not merely to poetic display, but to his own superior interest in the ritual of the Church of England. Patmore told me that his wife and he spent their honeymoon at Hastings, and that an exclamation of hers, on descending to the beach for the first time, inspired, long afterwards, the beautiful lines with which "Amelia" opens:

> "Whene'er mine eyes do my Amelia greet
> It is with such emotion
> As when, in childhood, turning a dim street,
> I first beheld the ocean."

The earliest instalment of the *Angel in the House* was published late in 1854, by a firm of publishers long since extinct, Messrs. John W. Parker & Son. It was anonymous, and the reason, Dr. Garnett tells me, why Patmore did not put his name

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on the title page was that his father's book of reminiscences, *My Friends and Acquaintance,* had just received so bad a reception from the critics that the son thought his name would prejudice his cause. The authorship, however, was a poor secret, for a number of fragments, including the beautiful piece beginning, "Lo! when the Lord made North and South," had appeared in 1852, under the author's name, in the volume called *Tamerton Church Tower.* But the name certainly was a disadvantage, for Peter Patmore, who had been Colburn's reader, and who had now fled the country to escape his creditors, was perhaps the best-hated man of letters then flourishing in Europe.

This earliest instalment was simply entitled *The Betrothal,* and it was followed in 1856 by *The Espousals,* a volume of not quite so many pages. In 1884 Coventry Patmore, knowing my great interest in the history of *The Angel in the House,* very kindly presented to me copies of these original editions as altered and arranged by him for the second edition of the united work. This precious relic lies before me as I write, and the alterations, all in the poet's beautiful handwriting, are so very numerous that in many cases, for pages together, the manuscript entries exceed the print in bulk. In later reissues Patmore was incessantly tinkering the text, so that to form a variorum edition of *The Angel in the House* would be a task before which the boldest bibliographer might shrink. But the main radical changes were made in 1857, and since then the poem has been, in essential form, what it is to-day.

One change which must strike every one who studies the abundant alterations made, particularly between 1854 and 1857, is a metrical or rather a rhythmical one. When Patmore, as a young man of twenty, began to write verses, he seemed to possess a most defective ear. How far the extraordinary eccentricities which mar his volume of 1844 were willful or accidental, I am unable to say, but to read many of those early lyrics is like riding down a frozen lane in a springless cart. He had his peculiar theories of stress and accentuation, but I think, also, that he had much in the Art of Poetry to learn. When he came to publish *The Betrothal,* in 1854, the lesson was already half prepared, and I attribute the increase in smoothness and felicity to the close companionship with Tennyson which he had been enjoying.

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But in 1856 Patmore gave his mind closely, for the first time, to the study of English metrical law, and the proofs of the results lie scattered broadcast over the pages of his MS. One example will show this as well as a hundred. In 1854 he had printed :

> "For thus I think, if any I see
> Who fall short of my high desire,"

but this could not satisfy the fastidiousness of 1857, and it was changed to:

> "For thus I think, if one I see
> Who disappoints my high desire."

As everyone knows, *The Angel in the House* is written in a uniform measure of alternate rhyming eights, the commonest metre for humble hymns and ballads that has ever been invented. Patmore was often attacked by the critics for using this humdrum, jigging measure, and I once ventured to ask him why he had chosen it. He replied that he did so of set purpose, partly because at that particular time the poets were diverging into the most quaint and extravagant forms, and he wished to call the public back to simplicity; but partly because it was a swift and jocund measure, full of laughter and gaiety, suitable, not to pathetic themes, but to a song of chaste love and fortunate marriage. No doubt there is truth in this, and the simplicity of Patmore's measure pleases us still when the fantastic variety of his friend Woolner in *My Beautiful Lady* (1863), a poem which once threatened to be a serious rival, has long ago become a weariness.

That Patmore, as he used hotly to aver, did not neglect the polishing and fashioning of his facile metre, a comparison of the different texts amply proves.

But the alterations which he made were of a far more radical kind than any mere rhythmical ones. He cancelled long passages, added new ones, removed stanzas from one part of the structure to another, and almost in every case these bold and essential changes were improvements. There can be no question, and the point is one of great interest in the career of a poet, that in 1857 Patmore was in enjoyment of a new flush of creative talent. There is, therefore, a peculiar interest in what he wrote at that time, and I do not scruple to print here one or two fragments which occur in my MS., but which I cannot discover were then or have ever since been printed. What whim constrained the

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poet finally to exclude this exquisite little "epigram," with which he had closed the seventh canto of his work?

"REJOICE EVERMORE."

"I err'd this day, oh Lord, and am
Not worthy to be called Thy son;
But if Thy Will be, Heavenly Lamb,
That I rejoice, Thy Will be done!
Death I deserve; I am yet in life;
Ill is my wage, thou pay'st me good;
These are my children, this my wife,
I feel the Spring, I taste my food.
Thy Love exceeds, then, all my blame.
O grant me, since Thou grantest these,
Grace to put 'Hallow'd be Thy Name'
Before 'Forgive my Trespasses.'"

Still less reason does there seem to have been for ultimately rejecting "Love of Loves":

"'The Man seeks first to please his Wife,'
Declares, but not complains, Saint Paul
And other loves have little life
When she's not loved the most of all.
We cannot weigh or measure love,
And this excess, assure you well,
If sinful, is a sin whereof
Only the best are capable."

It cannot, on the other hand, but appear to me probable, that Mrs. Patmore, in her rigid antagonism to Popery, would decree that the following beautiful and highly characteristic section savoured too much of Rome to be preserved. As the poet composed it, it should have come between "Love and Honour" and "Valour Misdirected":

THE VESTAL FIRE.

"Virgins are they, before the Lord,
Whose hearts are pure: 'the vestal fire
Is not,' so runs the Poet's word,
'By marriage quench'd, but flames the higher;'
Warm, living, is the praise thereof;
And wedded lives, which not belie
The honorable heart of love
Are fountains of virginity."

One more epigram is far too delightful to be lost:

NOTA BENE.

"Would'st thou my verse to thee should prove
How sweet love is? When all is read,
Add 'In divinity and love
What's worth the saying can't be said.'"

Joe. Lyght is a big fool.

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There is plenty of evidence of the great seriousness with which Patmore composed and revised all portions of *The Angel in the House*. He did not regard it as a mere work of entertainment, or even as an artistic experiment, but as a task of great social and moral importance which he was called upon to fulfil. This sense of the gravity of his mission took, in 1854, a form which he proceeded immediately to reject, no doubt because the expression of his feeling, though natural to himself, might strike a reader as arrogant. The canto now called "The Friends" was originally intended to begin with these lines:

"May these my songs inaugurate
The day of a new chivalry,
Which shall not feel the mortal fate
Of fashion, chance or phantasy.
The ditties of the knightly time,
The deep-conceiving dreams of youth,
With sweet corroboration chime,
And I believe that love's the truth."

The expression here might not be judicious from the lips of a very young writer, but it was essentially justified. The curates and the old maids, who were presently to buy the poems of Patmore as the sweetest, safest sugar plums of the sheltered, intellectual life, were themselves responsible for the view they took of *The Angel in the House*. They imagined the grim and rather sinister author to be a kind of sportive lambkin, with his tail tied up in bows of blue ribbon. But Patmore was a man of the highest seriousness; he aimed at nothing less than an exposition of the divine mystery of wedlock, and no one should consider that he has fathomed, or even dipped into, the real subject of the poem, until he has mastered the wonderful sections at the close, called "The Wedding" and "The Amaranth." Here the ideal of nuptial love is described and expatiated upon, as perhaps by no other modern poet, with the purity of a saint and the passion of a flaming lover.

In the original draft, Vaughn, the supposed writer of the poem, and his wife confess that they expect it to be cruelly cut up by the reviewers, but anticipate the consolation of a warm letter of praise from the laureate. Of this latter satisfaction, they were at least certain; since 1846 Tennyson had been the nearest and the most admired of Patmore's friends, and the influence of his comments and encouragements is certainly marked in the tex-

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ture of *The Angel in the House.* But Patmore had good reason to dread the cruelties of the professional critics. His earlier volumes of 1844 and 1852 had received abuse of a kind such as we can now hardly conceive of. *Blackwood's Magazine,* which had sent Keats back to his "gallipots," had learned no lesson from the passage of years; it had called Patmore's verses "slime," "the spawn of frogs," and "the ultimate terminus of poetical degradation." It is only fair to say that, before his death, Professor Wilson apologized for the virulence of this disgusting article. Other reviews, without being so offensive as this, had been very disagreeable. In those days, a young poet had to fight for his place, and the more original he was, the harder was the struggle. There was none of the gentle dandling of the immature which is now the fashion in our literary sheets.

On the whole, however, the reception of *The Angel in the House* was not unkind. The *Athenæum,* it is true, published a very cruel article, which began as follows:

"The gentle reader we apprise That this new Angel in the House Contains a tale not very wise About a Person and a Spouse. The author, gentle as a lamb, Has managed his rhymes to fit. And haply fancies he has writ Another *In Memoriam.*"

If this is read aloud, it will be seen to be a not uningenious parody of the measure of the original. The whole review was composed in this form, and was the work of the then famous musical and literary critic, H. F. Chorley.

This, however, was far from being the general attitude of the press, and several of the leading literary papers gave warm recognition to the merits of the new poem. More important, by far, was the reception of it by the leaders of thought, and in this Patmore was greatly helped by his social *entourage.* His sister-in-law, Mrs. Orme, delighted in the company of intellectual people, and gathered them about her. Mr. Ruskin, who was, I believe, a connection of Mrs. Patmore's by marriage, was from the first an enthusiastic believer in *The Angel in the House,* and he wrote that he wished all English girls to know its pure and beautiful language by heart. Mr. Ruskin was a warm and persistent admirer; in many of his writings he insisted on the ethical value of the poem, and as late as the publication of *Sesame and Lilies,* when Patmore and he had ceased to be in personal sympathy, Mr. Ruskin wrote: "You cannot read Pat-

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more too often, or too carefully. As far as I know he is the only living poet who always strengthens and purifies" Mr. Ruskin must be considered as having given more in private conversation than in writing the start-word to the success of *The Angel in the House.*

The Patmores were not disappointed of their letter from the laureate, but a less expected admirer was Carlyle. With him, too, they had become acquainted through Mrs. Orme. He slipped *The Angel in the House* into his portmanteau, as he was starting on a journey to Scotland, and wrote a number of letters on the subject to the gratified poet. It is characteristic that Carlyle considered the book would have been more serviceable if it had been written in prose instead of verse, but he was outspoken in commendation of its spirit and tendency. Meanwhile, the sale of *The Betrothal* of 1854 and *The Espousals* of 1856 was slow, and it was not till these two were combined in *The Angel in the House* that the wider public took up the tale. I have mentioned that on the MS. title page of the united work, which I possess, the date is 1857; but the breaking out of the Indian Mutiny, I believe, caused the poet to delay publication for a year. In 1858, after so many sorrows and such a shedding of the nation's best blood in Russia and in India, the public mind in England was eager for domesticity and rest. The tender purity of Patmore's poem, its direct appeal to the primitive emotions of the heart, precisely suited English feeling. *The Angel in the House* began to sell in hundreds, then in thousands, and it soon became the most popular poem of the day.

The author proceeded to expand it. In 1860 he published *Faithful for Ever,* in which Frederick Graham, the rejected suitor of the Angel, marries a woman not his social equal; but one who, by dint of worthiness of soul and a striving after higher things, becomes a help-meet in the best sense. It cannot be said that this theme lends itself well to poetry, and the form Patmore now adopted, that of letters in octosyllabic rhyme passing between the characters, was ill adapted to his purpose. *Faithful for Ever* was soon melted into its successor, *The Victories of Love,* and it is now by no means easy to detach it from the general texture of the whole.

All this time the health of Emily Patmore had been steadily undermined by consumption. On the 5th of July, 1862, she

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passed away, and the Angel in the House was buried in Hendon Churchyard. Whether or not the final section of his poem *The Victories of Love*, in which the pathetic parting of married lovers is dwelt upon with exquisite tenderness, was written before the death of Emily Patmore, appears to be doubtful, but the dates suggest that it was largely composed in premonition of that event. Without dwelling on so private and so delicate a subject, there can be no indiscretion now in saying that certain of the most poignant odes in the *Unknown Eros* embalm memories and episodes of this long-drawn, sad farewell. *The Victories of Love* was composed in a vein more resigned, if not less ardent, and in the sermon near the close of it Patmore distinctly prophesied of those psychological mysteries to which, under the influence of his second marriage, his intellect was to give itself so freely.

It is worth noting that "The Victories of Love" appeared in 1862 in successive numbers of *Macmillan's Magazine*, where they must have greatly surprised the readers of that periodical, utterly unaccustomed to so strange a sort of serial. But I am told by Dr. Garnett that the offer of £100 for this use in the magazine was gladly accepted by Patmore, who was somewhat overborne by the expenses of his wife's long illness. In the next year *The Victories of Love* appeared as a small volume, and in course of time, having long swallowed up *Faithful Forever*, it has itself been absorbed in the general text of *The Angel in the House*.

The success of the poem now seemed more assured than ever. The cult of it had spread to America, where Emerson and Hawthorne cordially recommended it. But at the very height of its popularity, Patmore himself struck a double blow at it, from which it was long in recovering. In 1865 he married a second time, and he became a Roman Catholic. The ordinary sentimental person, who used the poem as a kind of litany of nuptial aspiration, and the conventional country matron or curate, to whom it represented literature purified from all worldly dross and dedicated to Church and State, were equally scandalized and disgusted. The real ethical beauty of Patmore's ideas, the charming art of his best illustrations—what, in short, constitute him a poet of a high order—had never touched these deciduous admirers, and they determined, in their thousands, never

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again to turn the pages of a favorite who had become the husband of a second Angel, and a Papist into the bargain.

This offence given to the common mass of readers was attended by a change of front among the real admirers and censors of poetry. About 1865 a new poetical school had arisen, with Mr. Swinburne at its head, which demanded more refulgent color, more fiery emotion, a more revolutionary aspect of life and manners than Patmore chose to encourage. There had always been present in *The Angel in the House* elements which laid themselves open to ridicule; there were realistic touches which went out of fashion with the chignon and the crinoline. Young critics took heart to laugh at Patmore; young parodists made themselves very entertaining at his expense. With singular rapidity the poem which had been in universal favor from 1858 to about 1868, within ten years more sank into almost complete desuetude, an object of critical contempt, a book to be mentioned in the same breath with Tupper's *Proverbial Philosophy*. The first sign of recovery was given, perhaps, by Dr. Garnett's *Florilegium Amantis*, a collection of extracts from Patmore's collected poems in 1879. Gradually the public and the critics came back to him; the sales of *The Angel in the House*, which had fallen to almost nothing, rose to heights unknown in the days of its early success, and when Coventry Patmore died the other day, the event was chronicled by every serious organ in England as one of great literary importance. He lived to see his name placed high among those of the immortals. There is, perhaps, no modern work which can be named the reputation of which has suffered such vicissitudes during the lifetime of its author.

EDMUND GOSSE.

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HOW TO REFORM BUSINESS CORPORATIONS.

BY V. H. LOCKWOOD.

IT has been said about business corporations that "upon the character of their future, more than upon anything else, depends the nature of the conclusion of the industrial revolution" that is in progress. It is my belief that the selfish and dishonest management of business corporations has been the chief cause of the great inequality in the distribution of wealth during the past forty years; whereas, if they were honestly and safely conducted, they would afford a safe and satisfactory investment for small sums and thus tend to equalize the wealth of the people.

A railway president, by bearing or bulling the stock of his railway company, of whose interests he is the chief trustee, can in a few days and without any consideration transfer to his own pockets a million dollars from the pockets of the little holders of stock who stand shivering on the outside of the management. By prostituting his position of trust to his own ends, the director or officer can readily enrich himself at the expense of others. He can indirectly prefer himself as creditor, and if he desires he can paralyze the company for the benefit of another company in which he has a greater interest.

Stock can be watered, assets diverted, stockholders frozen out, the management put in control of nearly all the stock, a huge sham structure can be reared upon a really invisible and infinitesimal base, often to do a business that needs no corporation at all, whereby creditors are peaceably robbed and the holdings of the poor are confiscated. The directors and officers, who are actual trustees of a legal trust fund, are not in most States required to hold more than one share of stock, or to be worth seven cents, or to have any skill for the business, or to give a bond or other

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security for honest management of the trust, unlike any other trustee in the whole scope of the law.

Two or three men at the head of the management of a combination or trust can, at will, abolish the law of supply and demand, set aside the principle of competition which has governed the commercial world since the beginning of commerce, close factories, tell thousands at a time whether they can work or not. determine who shall and who shall not do business, and dictate to the public both their market and also the price they shall pay.

The foregoing are but a few of the many injurious things that corporation managers can do in the present state of the law. At the same time, the corporation is a mighty agency for good. It is a necessity of a highly civilized people. It is the only practical means for carrying on a gigantic enterprise or a business where a large number of people are interested. It enables enterprises, that are of great public importance but involve a large element of risk, to be undertaken. It affords the only means for persons with small sums of money to invest them. A vast increase in working capital has been brought to commerce and industry by corporations. They have proven a blessing for the race and their continued existence is assured.

But, for the very reason that they are growing in numbers, size, wealth, and influence, the State must have better control of them. Their newness to the law has rendered it difficult to legislate well regarding them. The time, however, is now ripe for reform and revision of the corporate laws of the States. Experience has taught us the defects of such laws and the nature of corporate activity. Now we can contrive a remedy. The people who have suffered, actually or fancifully, from the dishonest conduct of corporations are clamoring for reform. Our statesmen and students of economics are calling attention to the need. In fact, there is a demand from all sides to reform business corporations so as to make them less injurious and more useful.

In this era of industrialism the people are compelled to look to the state for help. It is idle longer to expect, as did the economists of the past, that the selfish interests of men will so operate against one another as to force competition in manufacture when entrenched behind corporate bulwarks to give the public the largest service, the lowest prices, the greatest privileges, and the fullest justice. The law of competition, while

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sufficient by itself for individuals, cannot execute itself in the face of the modern means for combination. The telegraph, telephone, quick postal and transportation service, and daily newspapers make it now easy to combine, and to work effectually in combination, whether incorporated or not. Hence, the state must assist in upholding the law of competition by the exercise of a wise, effectual, yet just control. Since corporations can be created only by the state, there is no reason why the latter cannot and should not dictate such terms and conditions for the privilege as are best fitted to make corporations more useful and less harmful.

Such reforms, however, should be carefully considered; moderate and not revolutionary; based upon the experience of civilized countries during the past forty years, so as not to defeat the usefulness of corporations that is so patent to all. The most advanced systems of corporation laws in Europe are found in France and Belgium, with Germany next. In the United States Massachusetts is quite in advance, with the District of Columbia close behind. The National Bank act is considered, from the standpoint of corporation law, the best type in this country of a single act. Several States are very far behind Massachusetts and some of the other States and nations, and if they do nothing more in the near future they should at least move abreast of Massachusetts. In doing that it cannot be charged that they are experimenting or theorizing. Let us examine the reforms which experience and the laws of some States and nations suggest.

The first step to protect innocent stockholders, as well as creditors, is to throw greater safeguards about the incorporation and the commencement of business. The *raison d'être* of corporations aggregate at common law was to avoid the inconvenience of partnerships comprising a large number of members. If so many enter the business that they cannot well conduct it by reason of numbers, a corporation is proper; otherwise not. Therefore, no less than seven persons should be allowed to do business as a corporation. A less number should be forced into partnership action and liability. This is the law in France and some of the States.

All the capital stock should be not only subscribed but actually paid up at par value, so that the real assets of the company when incorporated will equal the capital stock. All the stock

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must be subscribed before incorporation in Belgium, France, Germany, and Massachusetts, and by the National Bank act. The purpose is to prevent a company from imposing on the public by representing that they have $1,000,000 capital when only $1,000 has been subscribed. If the stock is not all subscribed, corporations should be prevented from advertising more than what has been subscribed. Better than this would be a requirement that they print on their stationery, etc., the amount paid in cash, or better still, the true excess of assets over liabilities, as shown by their last report.

All the stock subscribed should be actually and fully paid up before incorporation. Upon this proposition most students of the matter agree, although in the States great diversity exists. In Massachusetts no corporation can transact business until the whole amount of its capital stock has been paid in, and a certificate of that fact, and of the manner in which it has been paid, signed and sworn to by the president, treasurer, and a majority of the directors, has been filed in the office of the Secretary of the Commonwealth. The National Bank act requires fifty per cent. to be paid in before a charter is granted and ten per cent. per month thereafter. In Washington State three-fifths must be paid in before incorporation is complete; in the District of Columbia and Missouri, one-half; in France and Vermont, one-fourth; in Alabama, Connecticut, Delaware, Florida, Georgia, Pennsylvania, and West Virginia, ten per cent.; in New York, $500; in several of the States, nothing.

The purpose of requiring the stock subscribed to be fully paid in before proceeding to do business is to secure creditors, and to put the business squarely on its feet at the outset and thus protect the stockholders. Experience has shown that the rock on which most corporations have foundered was lack of sufficient working capital at the beginning. It is as absurd to permit a $1,000,000 corporation to begin business with $100 as to do the reverse. It indicates fraud and too feverish a speculative spirit, both of which should be prevented by our corporation laws.

In paying for stock the full value thereof should in all cases be required to be paid in cash or its full equivalent in property or labor done. The statutes of many States already have this provision, but provide no effectual mode of enforcing it. The

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word of the promoters or officers is taken, but their doctrine is that the stock is paid up when the management is satisfied. Business men know that a large part of corporate stock is transferred for a song and most of the remainder for ten or twenty per cent. of the face value. A patent of doubtful validity and value, or an oil well or equally dangerous asset, is put in at a fabulous sum. All this child's play should be prevented.

In France, when anything besides cash is offered in payment of stock, its value must be determined by a special meeting of all the stockholders. The persons interested cannot vote. At such meeting a committee must be appointed to determine the value and report to the stockholders at another special meeting where the value is fixed by a vote. The resolutions at all these meetings must be signed by all the stockholders. In Massachusetts a statement that the valuation of the property offered is fair and reasonable must be made, signed, and sworn to by the president, treasurer, and a majority of the directors, and endorsed by the State Commissioner of Corporations and filed with the Secretary of State.

Of these two methods the latter is the better. The French method is clumsy, and if all the stockholders at the time are promoters, as is often the case, it would be no safeguard. Under the Massachusetts rule the only reliable check is the Commissioner of Corporations. It is believed, therefore, advisable for the law to forbid any stock to be issued until the Commissioner of Corporations, if there be one, or the County Auditor, or some other proper official, has examined the payment or property offered and has certified on the back of the certificate that the stock has been fully paid up at par in cash or its actual equivalent. And an officer of the corporation violating this provision should be imprisoned, not fined.

Such provision would also prevent the watering of stock after the corporation has begun business. It is needless to point out the harm of this habit of corporation managers. Especially is it harmful in quasi-public corporations. It should be stopped and would be by the above method. Most of the States have already enacted that stock shall not be sold below par, or that fictitious stock shall not be issued, or that stock shall not be issued for anything but money or property received or labor done. But these statutes provide no sufficient means of enforcing the provisions.

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After a charter is granted to a corporation, greater safeguards should be thrown about its management for the benefit of both stockholders and creditors. It is my opinion that the law rather overlooks the officers and directors. The directors of a corporation are nothing but trustees. It would have been better to retain that name. They have charge of a trust fund for the benefit of the stockholders who are not in the management, and for creditors. The trust is as sacred as that of a receiver, assignee, or administrator. Yet these are not only required to give bond or good security for honest management of the trust, but are always under the eye of the court, and can take no important step without a prior order of the court. Directors of corporations have exclusive charge of larger assets, and a more varied and difficult business usually, without the supervision of a court or other public official and without bond or other security. The directors and officers often look upon the trust funds with the eyes of a thief, and proceed by various well-known methods to put as much of it in their pockets as they can. And this notorious and wholesale plunder is done under form of law.

Therefore, if we can, we should alter the law to suppress this indirect, insidious, legalized transfer of wealth without consideration, usually without consent or by fraud; for, as said above, in this way more than any other has wealth in the last forty years been unequally distributed. I am aware that these directors and officers are the agents of the stockholders, who should select good directors and secure themselves. But forty years' experience has shown that they do not or can not do it. The management hold a majority of the stock often, and the scattering minority of stockholders are helpless. I am aware, too, that creditors should investigate the financial ability of the corporation and the character of the men in charge before giving credit, but the means of corporation officials for misleading creditors and then diverting assets to defraud them are so varied and inscrutable that creditors are likewise helpless.

There are two methods of preventing the mismanagement of corporations, both of which should be adopted. One consists in requiring security of the directors and officers for their faithful discharge of their duties and subjecting them to greater liability for the corporate debts; and the other in supervision by strangers to the management. The latter has been successfully employed.

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In Belgium and France a separate Board of Auditors must be selected by the stockholders to make an examination every six months of all the details of the management as well as of the business, and report at the stockholders' meetings. In Germany three supervisors are elected for the same purpose. In Massachusetts there are commissioners, inspectors, and examiners for all special classes of corporations. For general corporations a State officer, called the Commissioner of Corporations, is in control. He refuses to grant the charter until all the stock is subscribed and paid up at par in money or its equivalent, and all other legal requirements are complied with and he has certified the same. He is required to make examinations and reports of the same and to bring instances of neglect or omission to comply with the law to the Attorney General. He shall also prescribe the schedule for the annual reports. Under the National Bank act the Comptroller of the Currency through examiners keeps a close watch over their transactions.

Therefore, it is believed to be well to provide for the examination of corporations by suitable public officers at least once a year. In addition, an annual report, by a schedule that would clearly and truly disclose the amount of real assets over real liabilities, should be filed in the offices of the Secretary of State and County Recorder. The penalties for failure to make such reports according to law should be severe and easy to enforce. At present annual reports are required under penalty in Arkansas, Colorado, Connecticut, Florida, Massachusetts, Michigan, Montana, New Hampshire, New York, except monied and railway companies, Rhode Island, South Dakota, Tennessee, and Belgium. In Iowa a similar statement must be kept posted in a public place. In Indiana manufacturing and mining companies are required to publish such report in a newspaper, but the penalty is not such as to cause any satisfactory observance of the law. A heavy fine should be imposed on the officers who fail to make such report or falsely make it, and the management should be personally liable for all debts created during such laches.

It is, however, of greater importance that the directors furnish security for the honest discharge of their duties, and also be held personally liable for the debts of the corporation with certain exceptions. Either a bond should be required from every director and officer, or he should deposit stock in the corporation as se-

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curity. A public officer should determine the amount of the bond or stock required, and both should be deposited with him for the security of the creditors and stockholders. I think this is not required in any State, but in Belgium the directors must deposit one-fifth of the capital stock, or at least stock of 50,000 francs par value. In France they must deposit all the stock they have and mark it unalienable during their term of office.

The argument for the personal liability of directors and officers is drawn from the analogy of limited liability partnerships with silent or dormant partners, and from the history of corporations. Under the old law all stockholders were fully liable, like active partners. That was wrong, for the stockholders outside of the management are but silent partners, who usually cannot know the facts about the management, and, if they knew, would be powerless to remedy the difficulty. Furthermore, full liability of all stockholders misleads creditors. They think the vague and indefinite security far greater than it practically is. Under the new law all stockholders are limited in their liability. This is again a wrong to the outside stockholders as well as the creditors, for the active directors and officers are active partners in entire charge, and they can build up or wreck a business as they see fit. They should always lose and never profit from a wreckage.

The South Sea Company, of London, in 1720, was selling its stock at 1,000 per cent. guaranteeing 50 per cent. dividend per annum. When it failed and the fraud was discovered, the estates of all the directors were confiscated for the benefit of its victims. In France, in one species of corporation, the directors are personally liable as partners. Under the National Bank Act and in some States they are liable for twice the amount of their stock. In many of the States they are fully liable in case of violation of some statute. It is believed that their liability should be made general, at least where sufficient bond or other security is not required.

How to prevent directors and officers in control of a corporation from speculating in its stock to their own advantage, or otherwise using their position for selfish purposes, is an important problem as yet unsolved. All agree that a great amount of robbing, peacefully and legally, is done in this manner. The evil is the same as that which is

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provided against by the law in the case of other trustees, by forbidding them to deal with the trust estate. In this direction, it is believed, the only remedy can be found. A director or officer should not be permitted, directly or indirectly, to buy or sell the stock of the corporation during his term of office.

A further safeguard lies in giving small stockholders a preference in voting for directors. In England one vote is allowed for each share held by a person up to ten, one additional vote for every five shares from ten up to one hundred, and one additional vote for each ten shares above one hundred. In the United States the chief modification of the old share voting system is the cumulative system. It has been adopted in California, Idaho, Illinois, Kansas, Mississippi, Missouri, New York (if so stated in the articles of association), Pennsylvania, South Dakota, and West Virginia. The cumulative system is to be recommended, for while it leaves the owners of the majority of the stock in control, it places behind the scenes one or more directors in sympathy with the minority.

Finally, a very important change of policy needed in many States is the reservation of the right to modify or repeal the charters of corporations as expressed in the general corporation laws of the State. This is the law in Alabama, Arkansas, California, Colorado, Delaware, Iowa, Kansas, Maine, Maryland, Massachusetts, Michigan, Nebraska, New Mexico, New Jersey, New York, North Carolina, Nevada, Oregon, Ohio, Pennsylvania, South Dakota, Tennessee, and Wisconsin. It is favored by Professor Cooley and many others qualified to judge wisely of the matter.

In Massachusetts it is enacted that every act of incorporation passed after 1834 shall be subject to amendment, alteration, or repeal at the pleasure of the legislature, except that full power to wind up the business in case of repeal shall always exist. Such is the law in the other States named, except Oregon, where it is provided that general corporation laws are subject to amendment, alteration, and repeal, "but not so as to impair or destroy any vested corporate right."

To some of these suggested reforms there will doubtless be strong objections raised. But in some States they would have no effect on existing corporations unless they subject themselves to

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the new act, taking privileges under it, which would be a matter of choice. Such legislation is only for corporations hereafter organized. The incorporators would in such case understand the conditions on which their privileges are granted. It would in no case affect honestly conducted corporations, and persons proposing to conduct corporations otherwise have no standing in the discussion. However, it might be well to provide that some of these requirements should not be employed except when requested at any time by the holders of 20 per cent. of the stock. The choice should never be left to the majority or confined to the time when the company is being incorporated.

The most difficult problem that must be solved in corporation reform is the proper handling of trusts or combinations to control the production and price of an article. This may be done by a central corporation formed by managers of a score of establishments or without such corporation by a trust agreement. The effect in either case is to abolish the law of competition in trade to increase the price of the product. Having fixed the prices, by fair or foul means, if necessary by threats, by the freezing out process, or by force and violence, they endeavor to maintain the prices fixed. It is needless here to discuss their methods, for they are well known. They are contrary to the spirit of the common law, and hence have been vigorously assailed by all courts when acting upon the common law.

From their beginning trusts have constantly increased, amid various vicissitudes, until now nearly all articles of general manufacture are controlled or influenced by them. At the beginning of the craze for them it was prophesied that they would fail because of conflicting interests of members, the looseness of the organization, and the disfavor of the law. They were consequently expected to go out of style. But such has not been the case, and it is not seen how such combinations can be wholly prevented in view of their advantages to members and the modern means that enable concerted action.

Some endorse these combinations because they seem to be a natural development of modern industrialism, and anything natural in its development should not be checked. They assert that the government should by law recognize trusts and eliminate what is injurious, to bend them to the benefaction of the public. This is a very plausible plan, but it means for us to

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abandon the law of competition and to embrace socialism. For the logical conclusion would be the assimilation of all business by the state, the state being the ultimate combination beyond which we cannot go.

We cannot yet afford to abandon the law of competition and individual liberty, hence legislatures and courts should continue, as heretofore, to suppress and discourage trusts. The courts should treat the contracts of trusts, as Judge Thompson says, like gambling debts and counterfeit bills, and the legislatures should reinforce the common law by defining illegal combinations, declaring their acts and contracts void, and providing severe penalties for violations of the law. Anti-trust laws now exist in Alabama, Louisiana, Michigan, Montana, New York, North Carolina, Tennessee, Texas, Washington, and Wisconsin. Not only should contracts forming trusts be made void, but trusts should be prohibited from enforcing any kind of contract. They should have no standing in court. In any action brought by them, the defense that the party is a trust, or acting in behalf of a trust, should bar recovery. They should be consistently treated as outlaws. Without ability, directly or indirectly, to come into court or to enforce any right or contract, coupled with the power of courts to dissolve them on the action of the Attorney-General, and with severe penalties on all parties participating in the formation and business of trusts, they will, it is believed, be rendered almost harmless. But in this all the States should act in concert. One or a few States cannot do much in this direction. Nor has Congress much power in the premises.

V. H. LOCKWOOD.

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THE FRENCH NAVY.—II.

BY M. GEORGES CLEMENCEAU.

In 1881, the accession to power of Gambetta's administration, upon which so many hopes were based, gave some strength to the new school by the selection for the Navy portfolio of Commandant Gougeard, who, in spite of his heroic behavior during the war of 1870, had been retired with the grade of "Captain." His appointment was, indeed, a kind of revolution.

Gougeard found himself suddenly at the head of the Admirals who, in fear of his independent temper and of his desire for reform, had broken his career. All who knew the energy—we may say almost rudeness—of the new Secretary of the Navy, did not doubt that, from the very day of his commission he would apply himself to laying a basis for the future organization. In this assurance they were not deceived. He undertook all the reforms, reforms of the staffs and the material; the creation of a high school for naval war; plans for the construction of fast modern ships, and for placing the harbors and coasts in a condition of defence. And then his successor, Admiral Jauréguiberry, by a few strokes of the pen, reduced all his patriotic labor to nothing.

Then came the Chinese campaign of 1883–1885. Our navy distinguished itself by a few acts of heroism; but it must be admitted that it did not meet a fleet worthy of the name. Beyond the torpedoing of the two Chinese frigates anchored at Schei-Poo, the squadron of Admiral Courbet only resorted to two methods of operation; bombardment and landing.

Once only did Courbet meet a division of five Chinese ships, which he endeavored to run down. He could not overtake them, however, owing to their superior speed. Here is a telling incident: During the chase of the Chinese squadron, the ironclad "Le Bayard" displayed a speed superior to that of the cruisers, and kept

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ahead of the racing platoon ; yet the "Bayard" had never developed a speed higher than thirteen knots.

Thus the Chinese campaign fully revealed our inferiorty in speed, and also our lack of serviceable cruisers. The official reports of Admiral Courbet are full of complaints in regard to this particular, a fact which was not altogether a surprise to his comrades who had remained in France. For, while he was fighting on the Chinese coast, one of our most distinguished general officers, the Admiral Dupetit-Thouars, wrote him the following letter, which discloses a great deal in regard to the true state of our naval forces :

"TOULON, March 12, 1884.

"MY DEAR COURBET:

. . . . . .

"What shall I tell you about our navy? I do not see a particle of energy anywhere. It seems to me they do not know their own position in regard to ship-building. Great speed is absolutely paramount, yet we continue to build ships which are neither fish nor flesh, so to speak.

"However, they are now drawing plans here for two torpedo cruisers of 1,200 tons, and two torpedoes of thirty-three meters to be added to the fleet, which will permit us to make interesting studies. We have worked a good deal here in Toulon on the practical use of the 'Whitehead' torpedoes, and the results have been satisfactory. Unfortunately, however, this is not general, and at the other ports they do not even succeed in regulating them.

"On the whole, we find only dullness and repetition all over the line. No heart, no authority. Most of our comrades do not dare to take command, and the auxiliary department bury us under the moss. Nothing manly.

"Farewell, my good friend, . . .

"(Signed) B. DUPETIT-THOUARS,
Vice-Admiral."

This letter had been written eighteen months, when Admiral Aube became Secretary of the Navy. At this time Admiral Réveillere made a sketch of the situation identical to that penned by Admiral Dupetit-Thouars.

"At the time when Admiral Aube gave a new impulse to the Navy, it was practically held together by a mere *coat of paint*. It was like a vessel cleaned up and splendid to look at, on the decks of which, however, there took place antiquated drillings under the careful supervision of a glittering staff. And when Admiral Aube exclaimed: 'All this is but a deceptive painting, your ship is sinking, she is like a pre-historic vessel, the timbers of which are worm-eaten, and which will sink at the first shock,' one may realize what shouts of rage met this utterance of a mar-sport.

"We were very proud of our Navy, and this pride seemed justified. The Navy looked so well. Its renown was unstained. It was still the same old

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Navy, and that was indeed its misfortune, for everything around it had undergone changes."*

Trained at an epoch when sail only was used, Admiral Aube was passionate for progress. Like Gougeard, he was one of the heroes of the war of 1870. He had command of a brigade of the army of the Loire, and gallantly did his duty, chiefly at the battle of Beaune-la-Rolande. He had not gained any promotion by it. *Capitaine de vaisseau* at the time the war broke out, he did not become Rear-Admiral until ten years after. High-minded, he considered it his duty to express his ideas of reform before all. He had published in the *Revue des Deux Mondes* a series of articles much appreciated. Under his direction a young journalist of talent, Mons. Gabriel Charmes, carried on, through the press, a vigorous campaign in favor of the new ideas—for we must still, in 1896, designate as "new ideas" the proposals of reform, at least dating back to 1849!

The strong articles in the *Journal des Debats*, in which paper Mons. Gabriel Charmes is nowadays replaced by Mons. Weil, who used to be his opponent and the reputed spokesman of the syndicate of the Metallurgy; the various papers of Mons. Charmes together with his essays on the subject in the *Revue Bleue*, and the *Revue des Deux Mondes*, resulted in the publication of a vivid book *La Réforme de la Marine*, in which the young writer brought before the public the reforms which Admiral Aube proposed to attempt a few months later.

This campaign, which threatened the interests closest to the heart of a clique, which was at once military, political, and industrial, brought an opposition the more earnest from the fact that the author belonged to a set where the high influences of the middle-class oligarchy were most powerful. The feudal admiralty and its faithful ally, the Metallurgy Syndicate, were simultaneously menaced, so that as soon as the consequences of the proposed reform appeared plainly, some of the newspapers which supported the "new navy" passed cynically from one camp into the other. I have already told how Mons. Emile Weil, supported by the *Creusot*, in his controversy with Mons. Gabriel Charmes, had at the end taken the place of the latter on the staff of the paper which is the accredited mouthpiece of the French high *bourgeoisie*.

* "*Guerre navale de Demain.*" (Preface of the Admiral Réveillere.)

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However, the ideas were launched. A group of publicists seemed to be set upon a strong campaign in the press in favor of the *Marine Nouvelle;* and Mons. de Freycinet, charged with the task of forming a Cabinet in January, 1886, deemed it advisable to call to his side Admiral Aube, to whom, in so doing, he had even to forgive some ill-disposed writings in the *Revue des Deux Mondes* on the faults and mistakes of the (1870-1871) war in the provinces.

The accession of Admiral Aube to power is unquestionably the greatest event in the patriotic struggle against the routine and system of "*favoritisme*" which has kept the French navy in shackles for a century. From the very first hour, the new Secretary of the Navy showed by his acts his desire to cut loose from the past, to follow out to the end his plans of reform, and to perfect reform in spite of all interested opposition.

What were his plans? To enumerate them it is sufficient to quote the following extracts from a paper published by Admiral Aube in the *Revue des Deux Mondes* under the title of "*La Guerre Maritime et les Ports Militaires de la France:*"

"The ironclad navy has outlived its time, and together with *the great war*, of which it was the weapon, it must disappear to make room for a new navy, the implement of the wars of the future; wars of cruise—that is, mercantile wars.

"The instruments of these wars are, for the greater part, gunboats and topedoes for defense, with cruisers, all having a maximum speed, and all vessels of that class reduced to minimum dimensions, so as to insure autonomy and effective power.

"The number, the speed, and the invisibility, constitute the important factors of the superiority of these engines of war. The tactical and technical science of the future wars is to be created. Like any other science, it will be the outcome of a patient and scientific observation of the facts. The staffs which will set in motion the engines of that war are also to be created and organized. Their value in actual operations will be exactly measured by the degree of experience acquired during peace.

"The axiom remains true: in the navy nothing can be improvised.

"For all these reasons the reorganization of our navy, both of the services and the material, is paramount, as an urgent and patriotic necessity."

Those were only general considerations. It was the province of the reformer in the Cabinet to pass from the theory to practice. Admiral Aube's administration was, in every point, an active one. As soon as he became Secretary of the Navy it did not require a long survey for him to gather all the proofs that he had judged but too correctly, that, in case of war, the French

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navy was not in a position to fulfill efficaciously the task which would confront it. Unable to shuffle off his duty, he denounced squarely the evils and took the necessary steps to avert them.

Upon his order, Mons. Peschart d'Ambly, who had been for a long time "*Directeur du Materiel*" of the Navy Department, made an exact list of those of our battleships actually in trim to fight. This list was the irrefutable proof the lamentable incapacity of the great chiefs. It proved, beyond possible argument, that the hundreds of millions of francs expended for the defence of the country had melted in the crucible of the "Rue Royale" —that is, had been squandered in unproductive outlays.

This frightful revelation decided the Cabinet, under the threat of the resignation, three times tendered, of Admiral Aube, to admit the principle of an extraordinary expenditure for the fleet, amounting to two hundred millions, besides the ordinary credits. Of this amount one hundred and forty millions were appropriated to the building of cruisers and gunboats of low water draught, and torpedoes, all to be of maximum speed. The remaining sixty millions were reserved for the establishment of second-class navy yards at Porto Vecchio (Corsica) and Bizerte (Tunis), and also for torpedo stations on the coasts.

It was possible to begin the realization of these plans, as soon as the Committee of Ways and Means had granted a first yearly instalment of thirty millions on the extraordinary credits of 1887. A second instalment of thirty millions was asked on the credits of 1888, but needlessly, for Admiral Aube had resigned previous to the vote of the credits.

In the Spring of 1887, the Committee which prepared the credits for that year had tried, with the support more or less concealed of some members of the Cabinet, to influence the Secretary of the Navy so as to obtain from him a reduction in the amount of the second instalment. But nothing could shake the strong belief of the courageous Secretary, that he was defending one of the foremost interests of France. Therefore, he answered by a peremptory refusal, which he explained in a letter, the most striking passages of which are these :

"To Monsieur Rouvier,

"Chairman of the Committee of Ways and Means :

"Mr. Chairman, I regret to have to affirm that no reduction—such as you seem to contemplate—can be accepted in regard to the credits demanded,

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without jeopardizing the effective fighting value of our navy. The debentures for the navy are of two entirely different kinds; the staff and the material.

"The staffs of the fighting forces are at present reduced to their minimum. They are composed in the main of "specialities": skilled mechanics, engineers, stokers, cannoneers, torpedo men, helmsmen, etc., who are rendered as useful by their mechanical abilities, acquired only through long and slow training at sea, by continued studies, and by the preparation obtained in our special training schools, as by their number.

"As they stand now, we may rest satisfied as to the technical capacity of the staffs, but it is also a fact that in regard to the number of men they are in most of the special services below the requirements of a great war.

"Concerning the material, I do not need to repeat again that it does not meet the contingencies of a naval contest with one or several European nations—should they even be second-rate maritime powers.

"The proofs of this inferiority I have stated several times, whether before the Council of State or the Committee of Ways and Means. I have been successful enough to obtain a first instalment of extraordinary credits, which, despite their evident insufficiency, will at least enable our navy to face, within a few years, all the chances of a naval contest in the European seas, or better in the "national seas," the Channel, the Atlantic, and especially the Mediterranean; but only in these waters.

"To allow a reduction in the credits so necessary to the defence of the country, would be to sign the abdication of France—that is, to agree to leave her unarmed—and this at what moment? At the time when a war seems near at hand, at a time when all the maritime powers, England, Germany, Italy, and Spain, are taxing themselves with the hardest sacrifices in order to bring their navies to a footing consistent with the naval contests of the future.

"No one should believe that I could consent to be the tool of such abdication or such impotency. You should be aware of this. However, it is perhaps best for me to again assure you of my immovable resolution, so as to leave you and your colleagues the liberty of judgment admitting a different view of the future, and of the measures that it requires.

"THE SECRETARY OF THE NAVY,

"(Signed) AUBE.

"MAY 2, 1887."

A few days later Admiral Aube retired from the administration, and his successor, M. Barbey, did not hesitate an instant to give up the extraordinary credits for the renewal of the fleet and the defence of the coasts. Nevertheless, it remained as an established fact that the Secretary who had just retired, had given, within the short period of seventeen months, an unusual impulse to his department. I will recall only:

(1.) Experiments with the torpedoes, action and shooting, correctness of aim in shooting at a moving object.

(2.) Experiments in the art of navigating the torpedo boats, and on their autonomy.

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(3.) Experiments on the respective value of various implements of war and on the new tactics (extensive naval drillings resumed in 1887). The establishment of extensive drillings at sea has since been adopted by all the maritime powers.

(4.) Experiments on the resistance of partitioned structures against the shooting of torpedoes.

(5.) Establishment at Toulon of a workshop for the manufacturing of torpedoes. Until that time we were dependent on foreigners, and we are yet so to a certain extent, the Navy Department having taken great care not to give to the works of Toulon the necessary extension.

(6.) Experiments on the effects of "melinite" projectiles.

(7.) Experiments on the application of electricity to submarine navigation.

(8.) Building of a small boat with great speed and low-water draught, with a floating carriage, for a gun of powerful calibre.

(9.) Survey of the strategic positions most suitable as a base of operations for a cruise war.

We should remark that the plans for new ships prepared by Admiral Aube comprised only vessels with a maximum speed; cruisers, gunboats with a low-water draught, torpedo boats; but not a single ironclad.

The Secretary estimated that a first-class cruiser should be put in service, at the latest, three years after the laying of the first timber of the keel. What is our position in the matter? The order for putting in slip "Le Jauréguiberry," a battleship of 11,824 tons, dates from April 8, 1891, and it is not yet in service at the time I am writing. The last tests have just been interrupted by the explosion of a boiler, which killed outright six marines.

The order for laying in slip the coast vessel "Le Bouvines," 6,610 tons, dates back from December 18, 1889, and this ship has just been put into service.

For "Le Dupuy de Lôme," a cruiser of 6,300 tons, the order for starting to build was given on November 26, 1887. The mishaps at the trials of this vessel have been so numerous that she was not put in service until 1895.

On the other hand, "The Majestic," a British ironclad, of 14,910 tons, was entered in service not more than two years after the laying of the first piece of keel.

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The Germans endeavor to follow the example of the English, with the hope of overtaking, and even excelling them. The "Kaiser Frederic III.," a German ironclad of 11,500 tons launched in July, 1896, at Wilhelmshafen, and of which William II. said at the time of launching that she was equal to the most powerful ships of the other European navies, and superior to many of them, was built within sixteen months, having been keeled March 5, 1895.

This constitutes a remarkable progress in the rapidity of building, in comparison to the last ships of the same class, as the "Wörth," "The Brandenburg," and the "Kurfürst-Wilhelm," which required respectively thirty-two, twenty-four and twenty-one months. But the Germans are not yet satisfied, while they claim with reason that in this respect they come next to the English, and much ahead of the French.

Finally, Admiral Aube succeeded in realizing a permanent and full equipment of our navy. He had stated this principle, that the modern ship, an implement of delicate workmanship and of infinite intricacy, is really available only when she stands in the full sea-equipment, and that we may not reckon, at the time of a declaration of war upon the vessels in reserve.

With Mons. Barbey, who succeeded Admiral Aube, the maddest sort of reaction towards the old-fashioned, hackneyed navy took place in every service of the department. Mons. Barbey had for his principal merit to be the docile instrument of the conceptions of the old Admiralty—if we may so describe the vague reasonings of the chiefs, most of them raised through favoritism, and each of them systematically hostile to all progressive endeavors.

They hastened to return to the organization of a navy, powerless against England, to the great relief of all the blockheads whose quietude had been disturbed by Admiral Aube, and especially to the complete satisfaction of the influential manufacturers of steel plates.

Mons. Barbey took the opposite side of all the ideas of his predecessor, undid all that he had achieved, and re-established all that he had demolished.

To mark more forcibly his profound disdain for the outgoing reformer, the new Secretary had the cynicism to refuse to Admiral Aube a commission at sea, when the turn of the latter

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came. In fact, he was not even willing to grant his predecessor a "*prefecture maritime.*" Admiral Aube was successively denied all the positions to which he had a right; he had to atone by this kind of ostracism for his patriotic efforts to make the French navy a powerful implement of victory in the whole machinery of the national defence.

As the question was no longer to obtain from the navy the most powerful effort, there was no further need for the extraordinary credits of the fallen Secretary; they were useless to merely maintain the old wanderings of an eye-catching fleet.

Thus Mons. Barbey gave up at once the demand for the remaining 140 millions, on the 200 granted in principle.

He went even further; he reduced to fourteen millions the second yearly instalment of thirty millions, which Admiral Aube had proposed to include in the credits for 1888. Further, he postponed the building of the cruisers laid in building slips by Admiral Aube, to such an exteut as to nullify ten millions of the thirty millions constituting the first extraordinary annuity, already voted for.

Thus, of the two hnndred millions which the Committee of Ways and Means and the House of Representatives of 1886 had estimated as the total amount of the extraordinary credits indispensable to the reconstitution of our naval power, one hundred and seventy-five millions remained unclaimed.

It is true that three years later, after a campaign through the press, marked notably by the publication of a pamphlet "*Le péril maritime,*" written under the inspiration of Admiral Aube by his secretary, Mons. Paul Fontin, they were obliged to accept, after several interpellations, the increase of credits imposed by the Parliament on the Secretary of the Navy. But these credits, which he had to spend against his will for new ships, were applied no longer to a "*fleet for speed,*" but to heavy iron clads, which render us powerless towards England.

As a logical consequence of this programme, the studies in regard to submarine navigation were discontinued, because the appearance on the scene of the small submarine torpedo will give the last blow to the iron-plated mastodons. They suppressed purely and simply the small vessel with high speed constructed by Admiral Aube, by stripping the "Gabriel Charmes," from which they even took away her name.

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It goes without saying that none of the new credits was applied to establishing bases of operations (Porto Vecchio and Bizerte), which according to Admiral Aube were of first necessity for our action in the Mediterranean. The work begun at Porto Vecchio was suddenly stopped ; the flotilla devoted to the movable defence of Corsica, which would have become the means of a counter-attack in case the enemy had shown itself on our coasts, was entirely mustered out. The Admiral du Prémesnil who commanded in Corsica, was recalled, and they proceeded to complete the dismemberment of our forces as they had been organized by Admiral Aube : coast vessels in the Channel, cruisers at Brest, squadron ironclads in the Mediterranean. All the vessels were again grouped regardless of any rational idea, and as Admiral Aube had succeeded by means of reduced staffs in permanently and fully equipping the battleships, they proceeded to dismantle most of them, and came back to the system of reserve vessels.

True, they have since been obliged to restore the movable defence of Corsica, but, unfortunately, in a manner very different from the organization of Admiral Aube. They had also to return to the reduced staffs of the latter, under the name of "Squadron of Reserve," but this measure was not applied to the ships of the movable defence, and this explains the grave shortcomings of the torpedoes.

In 1894 I published in *La Justice,* simultaneously with Mons. Paul Fontin, in the "*French Navy,*" official documents which proved that the vessels of the movable defence of Toulon were by a large majority unserviceable. The sensation was such that the Secretary and Admiralty were obliged to yield, at least seemingly, to the exigencies of public opinion. An extra parliamentary commission of inquiry was cunningly selected by the Secretary of the Navy for the purpose of explaining to the very same Secretary how his own incapacity and that of his advisers had brought such results.

At this very moment the kind inquirers are still laboring upon this puzzle. They have already dodged—by devices of various kinds—most of the questions upon which they were to stimulate discussion. It matters little to know how long a time they will continue to scribble uselessly the official papers. The same questions which, almost fifty years ago, confronted the

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Dufaure Commission are still pending to-day, as the Admiralty has refused to bring them to any solution before the Inquirers of 1896. Only the Dufaure Committee had produced positive results, and it required the "*coup d'etat*" of December to prevent its being brought to a successful end. For the miscarriage of 1896 no force is necessary. It is sufficient to leave the Commissioners of the Admiralty—for these so-called Inquirers are nothing else—to proceed and drown themselves in a flood of satisfactory resolutions. Those who wish to satisfy themselves in regard to the character of the present inquiry, and of the retrograde movement of the present generation, will have merely to compare the minutes of 1849 with those of 1896. It is the most crushing evidence against the so-called reformers of our epoch.

By one of the chances of the preliminary see-saw, Mons. Lockroy became Secretary of the Navy during the course of the inquiry. We might have expected from him important reforms. Instructed in the desiderata of the navy by officers belonging to the school of Admiral Aube, Mons. Lockroy knew as well as any one the evils of our organization and the wretched results which it has brought forward.

Although capable of rational judgment, and having a clear understanding of the work he was undertaking, experience proved that he was greatly deficient in regard to methods, character, and will power. Mons. Lockroy, fallen from power, is now busy writing an explanatory book on his Secretaryship. This volume will no doubt be of great interest, but should not a member of the government have acted, instead of writing? If Mons. Lockroy had acted, he would not be to-day under the the necessity of working up explanations—his acts would speak for him. There is no reason to doubt his good will, but not daring to oppose the so-called head men of our navy, he managed to coax, to tack, to be of the same opinion as every one else, and to recoil before any manly decisions. Not speaking of the personal favors that he may have indiscriminately granted, the greater part of his labors amount to again bringing under consideration three of the Articles of Admiral Aubé's programme: 1st, Submarine navigation; 2d, Flotilla of gunboats, 3d, Projectiles with explosives. But by a contradiction unexplainable in any other person but him, he has completely forgotten

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the important factor of speed, and he had not the courage to do away with the steel-armoured monsters, against which he had hurled so many eloquent phrases.

He has laid in building slips an ironclad to cost 27 millions of francs, and has prepared plans for another in his estimates of the credits for 1897, which reaches the figure of 30 millions. To Mons. Lockroy belongs the honor of having reached for the first time this amount for the cost of a single battleship. No necessity to say that he entirely neglected the question of the bases of operations!

Even the studies which he ordered have been conducted without either energy or system. As an illustration, for the flotilla of gunboats, the Secretary had to contend against his own subordinates, who were so obstinate as to take no account of his wish. He was not able to exact obedience, and the transformation of the despatch boat, "La Dragonne," which could have been done two or three months after his appointment, was not yet accomplished when the administration was overturned. Thanks to this process, it is Admiral Besnard, a determined adversary of the "*petite marine*," who will be in charge of the experiment. One may guess what will be the result.

Concerning the equipment, the mistakes were still heavier. Since 1891 I had denounced on the floor of the House the inertia of the marine artillery, which has allowed for two years the Italian and English vessels to be covered with rapid-fire guns, without putting our fleet in shape to return shot for shot. Space does not permit me to treat now extensively upon this interesting subject, which I intend to resume in the future.

A delegation of the Commission of Inquiry has taken upon itself—without daring to consult the Commission, and without having the courage to name a reporting Secretary—to decide that everything was for the best in the artillery department. I should not be surprised if the question was not so absolutely buried as the Commissioners believe.

Such is the actual state of the claims of the "Young Navy" against the hackneyed and impotent Admiralty. The question is whether France is to be satisfied with a navy inferior in number and speed—to mention only those two factors in a fight—which admits of pompous promenading and platonic exhibitions, but leaves her unable to face her redoubtable rivals with

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any chance of success, such as the enormous sacrifices to which the nation has cheerfully consented should assure her.

Certainly not! France, mutilated, expects of her army and of her navy to efficiently keep watch of her frontiers on land and sea, so as to insure a perfect integrity of the territory. Against so many foes, the enterprise is vast. Thus no chance must be neglected. Thus the government of the Republic owes to the bravery of the combatants on sea and land to supply them with the best implements of warfare. To achieve this end, it is necessary to follow day by day the progress of science, and when the changes commanded by the progress of science are opposed, it is indispensable that mere routine be crushed in order that the country be saved!

Against abuses and ignorance, against presumptuous incapacity, against favoritism, routine, and the thousand forms of folly of the administration, which twenty years ago came so near crushing us forever, the new generation has the duty of struggling to the end. At least let the teachings of past defeats be of some benefit. Let the new generation turn away from the fallaciousness of official optimism, let it exact full light, make out plain truth; and, to uphold France, let it reckon no more on former so-called saviours, sadly embodied nowadays in impotent officials, but on the eager watch, on the stubborn labor of every hour, on the will forever present to give at any time its full effect to the courage of a nation of which the curtailed territory proves that the greatest bravery is powerless to command victory if it is not assisted by systematic preparations during time of peace.

G. CLEMENCEAU.

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DRINK AND DRUNKENNESS IN LONDON.

BY A LONDON POLICE MAGISTRATE.

THAT the English are a drinking people it is impossible to deny in the face of the revenue returns; but that we are a drunken people is a very different proposition, to which, I am glad to say, I am unable to assent. Of the mass of our population but a very few are habitual drunkards; while of the numbers brought before magistrates charged with drunkenness a large proportion make but a single appearance, and are never seen again. Their names, however, serve to swell the returns, and an impression is thus created that there are more confirmed drunkards among us than is actually the case. Every one must be struck by the orderly conduct of large crowds in the metropolis. Whether it be at the Oxford and Cambridge boat race, at any of the great football or cricket matches, the Lord Mayor's Show, or a royal wedding, of all the thousands assembled you rarely see a single person drunk.

Nevertheless, it cannot be denied that the prevalence of drunken habits amongst a certain number of the wage-earning classes is the cause of a vast amount of misery, and of a certain kind of crimes. Premeditated murders, burglaries, forgeries, conspiracies, frauds, etc., requiring sobriety for their success, can in no case be ascribed to strong drink; but many crimes of violence are directly attributable to its effects upon persons not naturally cruel or vicious, whilst the wretched poverty and misery that a drunken head of a family brings upon his unfortunate belongings can only be understood by those who have had exceptional opportunities of becoming acquainted with such cases.

Sometimes it is the wife who is in fault, more frequently the husband; but in either case the poor children have to suffer. When the husband is more or less given to drink the wife seems

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often to be stimulated to increased exertion, and many an admirable example of devotion to duty has in the course of a somewhat lengthy experience come under my notice. How often have I longed, on hearing a wife's complaint that her husband would do no work, but spent all his time in the public house, that I could send a stout policeman, armed with a heavy whip, to lash the lazy rascal out of his bed where he would be found sleeping off the effects of the last night's debauch. Where does he get the money for drink? you naturally ask. Sometimes he beats it out of his hard-working, sober wife; sometimes he is treated by friends, for to have been "fou' for weeks thegither" is a strong bond of union, as we have it on no mean authority. The wives, though complaining, are generally free from vindictiveness. "The best of husbands if he would only keep from the drink," is their constant cry, and when a charge of assault has been made, or a summons granted, as often as not the wife declines to prosecute, hoping against hope that her husband may reform.

As already said, the proportion of habitual drunkards compared with those who only occasionally drink to excess is but small. After a time, however, they become conspicuous, as the newspapers help to make them notorious by recording the number of their appearances in the police courts. Judging by my own feelings, I cannot but think that most magistrates dislike the frequent reappearance of the same individual on the same kind of charge. It carries with it a reproach like that which a doctor in full practice may be supposed to feel when his (let us say dyspeptic) patient returns again and again. His mere presence suggests that the treatment has failed. But how such treatment as a magistrate can, under the present law, prescribe for the drunkard could possibly succeed, it is difficult to imagine. Probably it was never thought or intended that it would have curative or reformatory effect. Instead of making him better, it is more likely to make him worse. The highest sentence that can be pronounced at present is a month's imprisonment with hard labor in a common prison. When the man or woman comes out of jail at the end of the month, weak from low diet and feeling depressed and miserable, what more natural than that he should immediately have recourse to stimulants, the want of which, his feelings tell him, has brought him to such a pass. Thus it often happens that on the first day of his recovered

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freedom he is drunk again, and appears in court the following morning, to the great discomfiture of the magistrate, who can only repeat the same treatment which has so lamentably failed.

That the system requires attention, nobody who knows anything of its working can doubt; and this has been generally recognized. Indeed, several bills have from time to time been introduced into Parliament within the last twenty years, the main object of all of them being to give greater powers of restraint over inebriates; but not one of these bills has found its way into the Statute Book. The subject, however, has been constantly pressed upon the notice of successive governments, and in 1893 a Departmental Committee, at the head of which was Mr. Wharton, M. P., was appointed to inquire into the treatment of inebriates. This committee held many sittings and obtained much evidence from persons conversant with the subject, and I believe all were agreed that our present system had proved a complete failure, so far as the reformation of the habitual drunkard was concerned.

In the course of the enquiry Mr. Murdoch, of the Home Office, a member of the committee, produced an act of the Legislature of Victoria, in which colony several attempts have, it seems, been made to deal with the subject of habitual drunkenness This act is styled "The Inebriate Asylums' Act, 1888," and it begins by repealing the "Inebriates' Act, 1872," and also a subsequent act amending it, thus showing that the subject had engaged the attention of the Parliament of the colony for a considerable time. The principal provisions of this act of 1888 may be shortly stated. "Inebriate" is defined to mean "any person in reference to whom, whether by himself or by any other person, any application for detention or treatment shall be, or shall have been, made under the act." The governor in council is empowered to direct that any asylum, or any part of any asylum, or any other building named in the order, shall be an asylum for inebriates. He may appoint as superintendent of any such asylum a person who must be a medical practitioner. The asylum may be separated into two divisions, with a different scale of accommodations and of fees to be paid by patients and residents. Any person desirous of being committed to an asylum for inebriates may make application to the Master-in-Lunacy, or to any judge of county courts, or to a police magistrate, or to any justice who,

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after satisfying himself that the applicant has habitually used excessive quantities of intoxicating drinks, may order him to be detained in an asylum for inebriates, there to be held under curative treatment for a period not exceeding three months.

We now come to the most important part of the act, which, it will be seen, goes far beyond anything as yet adopted in the mother country. By sections 8 and 9 it is provided that upon the application of the husband or wife, or any relative or friend of any person addicted to the habitual use in excess of intoxicating drinks, either of the authorities above named may, upon proof of the reasonableness of the application, summon the inebriate to show cause why he should not be committed to an asylum, and if upon the hearing it is shown that, by reason of his abuse of intoxicating drinks, the person summoned is unable to control himself and incapable of managing his affairs, or is dangerous to himself or others, or is suffering under or recovering from *delirium tremens* or chronic alcoholism, or is in imminent danger of death from the continuous use of such drinks; and if two medical practitioners certify in writing that the person requires curative treatment in an asylum for inebriates, he may be sent to one for a term not exceeding three months. Under the tenth section the inebriate may apply to any of the same authorities to have the order reconsidered, and they have power to rescind it and to make such order as to costs as they deem fit. By the fifteenth section the same authorities, or any of them, if in their opinion it is necessary or desirable for the curative treatment or care of an inebriate that a second or subsequent order of detention should be made, may make one. Power is given to apprehend any escaped inebriate, and to take him back to the asylum, there to remain until the expiration of the period named in the order; and there are various other provisions for the protection of the inebriate when in confinement, for his punishment when unruly, for the payment of his maintenance, and other matters.

It will be seen, however, from the short abstract I have given of the act, that it attempts at all events to deal with this class of cases by a curative method, while we have been content to rely on punishment alone. It should be added here that Mr. James Munro, formerly Prime Minister of Victoria, who gave evidence before the committee, stated as his opinion that the act had not been attended with much success, owing, as I understand him,

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not only to the scale of charges being too high, but to other faulty arrangements. Moreover, the experiment was made on a very small scale. However, notwithstanding this rather discouraging account of the operation of the Colonial Act, the committee, after taking a large body of evidence from clergymen, distinguished physicians, governors, and chaplains of prisons, police magistrates, and others, made amongst others the following recommendations in their report:

(1.) That power should be given for the compulsory commitment to a retreat of persons coming within the definition of an habitual drunkard, as laid down in the (English) act of 1890, on the application of their relatives or friends, or other persons interested in their welfare, such application to be made to any Judge of the High Court, County Court Judge, Stipendiary Magistrate, or Justice sitting in Quarter or Petty Sessions, who shall decide on the propriety of the application.

(2.) That reformatory institutions should be provided, aided by contributions from imperial and local funds, towards the cost of their building and maintenance (as in the case of existing reformatories and industrial institutions for juvenile offenders), for the reception and detention of criminal habitual drunkards, who might be subjected to less rigorous discipline than in existing prisons and to the performance of such labors as may be prescribed. (3.) That magistrates should have the power to commit to such reformatory institutions for lengthened periods with or without previous punishment or imprisonment habitual drunkards (*a.*) who come within the action of the criminal law; (*b.*) who fail to find required sureties and recognizances; (*c.*) who have been brought up for breach of such recognizances; (*d.*) who are proved guilty of ill treatment or neglect of their wives and families; (*e.*) who have been convicted of drunkenness three or more times within the previous twelve months.

It seems to be generally agreed amongst the witnesses who were examined by the committee that it was quite hopeless to effect the cure of a habitual drunkard within a less period than twelve months; and this such high authorities as the late Sir Andrew Clark and Sir Richard Quain gave as their opinion. Lengthened periods of detention for the habitual drunkard, even if they failed to cure, would have this good effect at least, that his pernicious example would be removed for a time.

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Before going further, perhaps it may not be without interest if I recall one or two cases of habitual drunkards that have come under my notice. The most notorious of these was a woman named Jane Cakebread whose name must be familiar to all readers of the London newspapers. She was a curious creature who never seemed to be in the least disconcerted by her frequent appearance in court. Tall, spare, and strong, with a plain but rather pleasing countenance, she always appeared in the dock as neat as circumstances would permit. Whatever her language and conduct may have been in the street, as to which the constable used to give awful accounts, in court it was uniformly correct. She seldom or never found fault with the constable who had arrested her; owned she might have have had a glass or two too much, but made light of the matter and promised amendment. What she liked above all things was to be allowed to talk of the great respectability of her relations at Bishop's Stratford, and, when you allowed her to run on for a little about them, everything went smoothly and well. She was satisfied with her sentence, whatever it might be, curtseyed to the Bench, and, as she tripped out of court, nodded and smiled at the jailer as if to say: "You needn't show *me* the way to the cells," and by her contented and cheerful aspect and demeanor would so please every one in court, magistrate included, that the sadder aspect of the case was lost sight of in a general sense of satisfaction.

Such was Jane Cakebread in the days when my interviews with her were frequent. Years have passed since then, and she is now, I believe, confined in a lunatic asylum, but, knowing her as I did, I can scarcely believe that she is subject to any delusion except the belief that she could go on through years and years of hard drinking without sooner or later incurring the inevitable penalty. She had a splendid constitution, and, as she never seemed in the morning to feel any ill-effects from the bout of the previous night, she was probably a stranger to the salutary check which a bad headache supplies. A century ago she might have held her own even with the three-bottle men of the time.

Another notorious woman, whose name is scarcely less known than Cakebread's, generally chose to call herself Totty Fay, though she had a number of more high-sounding aliases. My first acquaintance with her arose out of a most scandalous escapade, which was succeeded by others more or less serious, all

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having their origin in drink. She became a confirmed drunkard and lost any good looks she ever possessed, and when last I saw her in court had a dirty, bedraggled look, her feathers and other finery being in a woeful condition. Like Jane Cakebread she had always the same story, with but slight variation, to lay before the Court. It ran somewhat after this fashion: "I am a most unfortunate young lady, your Worship, or I shouldn't be here before you to-day. You see, sir, it's like this: my poor, dear landlady, a most kind, amiable woman, had a distress for rent put in yesterday, so I went with her to the public house just to be out of the way of the beastly broker's men; and, well, I don't think it was the little drink we had so much as the grief I felt for the poor woman. But, your Worship, am I to be handled like this by a common policeman? Look here, you fellow" (showing her bruised arm to the constable), "what right have you to handle a young lady like this? I will report you to your betters and have the coat off your back, see if I don't."

Sometimes it was her dear mother whose unexpected arrival in town had led to a little conviviality; but in every case her references to herself as an unfortunate young lady formed the staple of her harangue, which I always found it more politic to allow her to deliver at length. I have lost sight of her now for several years, and I understand that she is undergoing a long term of imprisonment for a more serious offence than being drunk and disorderly.

I am not much of an optimist, yet I declare—taking these two women as representing the worst of the class of habitual drunkards—that I believe they might have been reformed, if taken in hand in time. That is the essential condition in all such cases—they must not be too far gone.

Of the many drunkards of the other sex who have come repeatedly before me, I retain but indistinct recollection. They seem to be less imaginative (dare I say it?) than the women. At any rate, they either have nothing to say, or nothing that strikes and fixes itself on the memory. Two I recall as being something out of the ordinary run. One is a shoeblack, a short, thickset fellow who seems steeped in drink, which is not surprising, seeing that he has made more than two hundred appearances in the same court. He always promises not to get drunk again, and I have occasionally accepted his promise on the con-

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stable's admission that he went quietly to the station. But, of course, he is soon back again, when he is reminded of his promise before sentence. This he generally takes very resignedly.

Another, quite a young fellow, is a decidedly dangerous customer, though he has only one leg. But he can get about nimbly and quickly on his wooden leg and with the help of a crutch, even when pretty far gone in liquor. When he sees a constable coming to arrest him, he promptly makes for the nearest wall or railing, supported by which he shoulders his crutch, and makes ready for battle, so that unless the constable succeeds in summoning assistance, he has rather a risky time of it before he takes his man. This youth I believe to be an irreclaimable blackguard.

Passing reference has been made to the repeated efforts of members of Parliament in our own day to deal by fresh legislation with drunkards and drunkenness, and the appointment of the Royal Commission, now sitting under the presidency of Viscount Peel, to inquire into the whole subject of liquor and the licensing laws, testifies to the anxiety felt throughout the country upon a subject so closely connected with its well-being and good government. The Commission is large and representative, and has already taken a mass of evidence from men of various professions, occupations, and pursuits, whose experience enables them to speak with knowledge on some of the many questions which appertain to an enquiry so comprehensive, an enquiry which the chairman seems resolved to make full and exhaustive.

What the recommendations of the Commission, if any, may be in regard to the treatment of habitual drunkards, it is, of course, impossible to predict. But I think it may safely be surmised that they will not differ materially from the conclusions of Mr. Wharton's committee. For three hundred years and more we have been levelling laws against tippling and tipplers, and those who supply them with drink. None of the punishments as yet devised has proved effectual in repressing the evil. Let us try another plan, a plan in which, although punishment finds a place, reformation is the chief endeavor and object. How can you cure a drunkard by sending him to a common prison, with hard labor, for a month? The thing is impossible, absurd. Why, then, not try a method which at least has a more hopeful look? It may fail, in many cases it probably will fail, for confirmed drunkards are not easily redeemed. But at all events it

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gives promise of some success, and it must be remembered that every cure benefits not only the individual himself, but his family and all his surroundings.

So much having been said, I am bound to confess that I look more to education, with its softening and refining influence, to abate the evil, than to anything that can be effected by acts of Parliament, however well framed and however carefully carried out. In the last century gentlemen were not ashamed to come reeling into the presence of ladies, after the prolonged sittings over the bottle which were then in vogue. And the ladies themselves do not, all of them, seem to have looked with much disfavor upon such excesses. I have myself seen a letter from one young lady to another, in which the writer tells of a youth of their common acquaintance having, by way of making himself agreeable, left the topers early in order to join the ladies. Instead of commending him for this conduct she speaks of him as a "soft hash." It was about the same time, the latter part of the eighteenth century, that three Scottish gentlemen, of good family and condition, came together with the avowed object and intention of drinking each other under the table, a meeting made memorable by Burns' humorous and spirited poem, "The Whistle":

> "A Bard was selected to witness the fray,
> And tell future ages the feats of the day,
> A Bard who detested all sadness and spleen,
> And wished that Parnassus a vineyard had been."

Feats indeed! Alas poor Bard! what a distance have we travelled since those days! Education, the influence of a clergy of higher attainments and with higher ideals than obtained in the days when Parson Adams was a type, have had most to do in bringing about a better and healthier state of things; and why may not education do for the masses what it has done for the classes? At present a drunken man in the streets causes nothing but amusement to his "pals"; let us hope the day may not be far distant when he will inspire disgust. It is to education that we must look, then, in the main, but it must be of the right kind, the kind that teaches to enquiring youth what the true foundation is upon which all good citizenship must be built.

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THE RAILWAY PROBLEM.

I. THE LEGISLATIVE SOLUTION.

BY THE HON. LLOYD BRYCE.

In view of the fresh attacks against trusts in the State of New York and the indication of repressive legislation against them, a study of the railroads becomes especially valuable just now. They offer the most complete objec lesson in connection with legislation we possess, and a calm, unimpassioned review of their past and present condition may serve, if not to check, at least to direct governmental interference along such lines of reform as are least hazardous to all concerned. Being in no wise an authority on the subject, I desire to state that I have availed myself of the coöperation and the assistance of the best experts and statisticians in the presentation of this statement.

Liberal facilities, rapid, safe, and reasonable transportation, with equality in rates for all, are great demands of the times. In answer to these demands the Interstate Commerce Law was passed about ten years ago. It is generally conceded that we have secured cheap transportation—probably the cheapest in the world. Only a few days ago Edward Atkinson demonstrated that the improvement in our railway service enables the people to move food, fuel, fibres, and fabrics at one-third the former charge; that a charge of $31.41 per head for this purpose had been reduced to $10.47, thereby effecting a saving to the entire nation of a fraction under fifteen hundred million dollars in a single year. In some quarters the charge has been made that railway rates have not been reduced to keep pace with falling prices especially of agricultural products. This illusion is dispelled by official figures which show that between 1873 and the present time the general ton-mile rate for the United States has fallen nearly sixty per cent.; that the lake and rail rate on wheat from Chicago

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to New York has fallen at least 75 per cent., and the all-rail rate not far short of 65 per cent. On corn the fall has been 62½ per cent., and on provisions fully 50 per cent.

Here we have good evidence of reduction of freight rates for the people of the country generally, and the agricultural interests in particular. In the following table is given the average charge for carrying one ton of freight one mile on thirteen of the important railways of the United States:

Year.	Charge per ton per mile.	Year.	Charge per ton per mile.
	Cents.		Cents.
1865	3.08	1890	0.77
1870	1.81	1893	0.76
1875	1.36	1894	0.74
1880	1.01	1895	0.72
1885	0.83	1896	Less than in 1895.

The above railways performed about one-third of the entire freight transportation, and we find that seven and one-fifth mills, or probably at the present moment, seven mills, will pay for as much transportation over their lines as could have been obtained thirty years ago for over three cents. Nor do these averages give an adequate idea of railway progress in cheap transportation. Much of the freight on our great trunk lines is carried at half a cent per ton per mile, which means the transportation of one ton of freight two hundred miles for one dollar. Indeed, the Pennsylvania Railroad in 1895 reported that it carried 8,173,218,403 tons of freight one mile, at the rate of five and six-tenths mills per ton per mile. Is it surprising that it is generally conceded by those conversant with the subject that "nothing like it in the history and development of the human race has been known"?

A glance at the passenger barometer likewise shows a decline, though the constant demands of the American public for better and more expensive accommodation and higher speed makes the decrease less marked. The average passenger rate has fallen from over three cents per mile in 1870 to less than two cents in 1894; in round figures, say a reduction of one-third. Relatively speaking, our passenger rates are lower when compared with those of foreign countries—much lower when density of population and the character

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of accommodation are considered. In England, for example, the third class, or Parliamentary trains, carry passengers for a penny a mile—that is, an English penny, or two cents American money. The cost of first-class travelling in England, with a population of 541 to the square mile will average double this, while ninety-nine per cent. of the people in the United States, population to the square mile only 21.31, travel first-class at an average cost, including the unsettled areas of the country, where population is less than three to the square mile, for two cents per mile.

Unless the decline in receipts is stopped, wages must be reduced, facilities must be curtailed and forces of employees lessened. Taking an army of two hundred and fifty thousand men out of active employment in one occupation is a pretty serious business. That means an annual loss in wages alone of not less than $187,500,000. Here we have the direct loss. The indirect loss comes from the irreparable injury to the properties by reason of not keeping them up, ultimately entailing additional losses. The reduction of rates between 1890 and 1895 represents a loss of revenue of over $100,000,000—$15,500,000 in passenger traffic and $87,000,000 in freight traffic. This presents the thought, can the people afford to force an industry in which nearly one-fifth or twenty per cent. of the total wealth of the country is invested to a point where so much of the original investment pays nothing in dividend and interest. The loss of dividends and interest on bonds brings hardship to hundreds of thousands of people of limited means who have invested in these securities. This is no less severe than the loss of work and wages to the laborer. The latest report shows that seventy per cent. or over two-thirds (an aggregate of nearly $3,500,000,000) of all the outstanding stock of these corporations paid nothing in 1895. The same is true of seventeen per cent. of the bonds. A careful study of these railway budgets would bring out the appalling fact that probably half of these investments are non-productive—certainly five thousand millions of them.

It is important both to the commercial and investing world and to the people of the country, that these investments should earn a reasonable income from the actual investment. I use the term actual because the companies seek no dividends for watered

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stock. They are content to earn a reasonable profit on what it cost to build the roads originally, with profit and interest on subsequent betterments and improvements. It must be borne in mind, as to water in railway capitalization, that while it may have been true originally in special cases, it is not true of the railways generally, because the original cash cost of the railways does not by any means represent the final cash cost in their present condition. To prove this, it is only necessary to take the construction accounts which have been paid in cash for years past on the various railroads, and add this to the original cost. Another standpoint from which to look at this is that the great majority of the railroads in the United States have been sold under foreclosure, and have had issued upon them at each foreclosure less and less interest-bearing securities, for no other reason than that the properties had been unable to earn the interest on the former indebtedness. Nearly all of the preferred stocks, and a very large proportion of the common stocks, of the railroads of the country to-day, have been issued in the place of securities which theretofore were interest bearing and represented cash, and the new stocks have been accepted by the present holders solely on the ground that the old fixed charges could not be earned and paid, and that the stocks merely represented ownership which should receive returns only in case they could be earned *

While the mileage of our railways has been multiplied by three hundred per cent. since 1872, the dividend on the investment has increased only 32 per cent. As a result, the investing public, both at home and abroad, will not take these securities. If our railways could secure stable and reasonable rates, and railway wars be stopped, the favorite investment for European capitalists would be American railway securities. Such a result, as has been well said, would start a flow of money to the United States, and give a new impetus to every kind of trade.

And now a word on the cost of transportation. A careful computation by leading experts shows that in thirteen years there has been a decline of 27 per cent. in the price of transportation. That is, railways, as a whole, are now receiving less than

* The reports of the Interstate Commerce Commission showing the millions in stock and bonds which have been cancelled, written off to profit and loss, will astonish those who talk about "watered stock" if they would only take the trouble to look into the subject before making assertions.

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three-quarters of what they received thirteen years ago, while yearly the demand for additional facilities has increased. Has there been a similar decline on the raw material out of which transportation is manufactured? Not at all. In the first place, sixty per cent., or $60 of every $100 paid out, is paid direct for labor.

The cost of labor is the same now as then. In fact, the price of labor, unlike the railways themselves, is no longer a market price, established by competition, in which one man competes with another until low wages face them both. The competitive condititions, therefore, are ameliorated by organization, by agreements between themselves, that below a certain wage they will not offer their services. If anything, the price, then, of sixty per cent. of the raw material used in the manufacture of transportation has advanced. Of what does the forty per cent. consist? Of materials such as fuel, steel rails, ties, car-wheels, bolts, spikes, and lumber. Into all these products labor largely enters and comprises the indirect labor of railways. Some articles are cheaper, but taken as a whole the cost of running these roads has not been reduced, except in cases where men have been absolutely laid off, who should have been employed in order to keep the properties in good condition.

The history of our country shows that unremunerative railway rates destroy prosperity and threaten public welfare. It is a mistake to suppose that this demoralization falls only upon the capitalist. It affects every one, including even those who clamor loudest against the railways. The ills arising from unremunerative railway rates injure, first of all, the workman, as he is thrown out of employment or his wages reduced. It injures, in fact, over one million railway employees, or persons directly employed by our vast system of transportation, and affects the comfort and happiness of 4,000,000 human beings. Then come the hundreds of thousands who have invested in railway securities, from whom, in many cases, it takes away the income on which they live. This reduces general consumption. Again, it reduces the ability of large holders of these stocks and bonds to engage in new enterprises, because it wipes out their value and destroys so much live capital—or rather destroys securities upon which capital could be borrowed. The co-related or allied industries follow. Further reduction of rates cannot be

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made without reducing the wages of labor. When railways are prosperous and remunerative, millions are expended in new equipments, improvements of plant, and betterments all along the road. And lastly, it may be said, all trade and industry, wherever railways penetrate, are injuriously affected, and it is this last wave of the enlarging circle of distress that is most severely felt.

In a problem so vast as this, and covering such a wide range of interest, the general welfare of the country must be considered and not the advantage of the few. Those who want the whole railway question to revolve around their State, their city, their farm, their store, their mine, or their manufactory, must ultimately come to grief. Unhappily, too much State legislation has been guided by this spirit. The individual gain by competition which put down prices to unremunerative points must be paid for by the people. Hence, while we have cheap transportation, we have no equality in rates, because business is demoralized and property confiscated. In the breaking down of business honesty and lawful trade the country suffers. One of the most judicial administrators of the Interstate Commerce law has shown us that it is a superficial view of the subject which holds that the public interest always requires the lowest rates, or which believes that reductions in rates are even presumptively for the public welfare. What the public really needs is the persistent maintenance of efficient, safe, and reasonable transportation service, with rates properly adjusted, as between competitive points of production and consumption, always free from individual discrimination, and steadily permanent from year to year.

How to reach this ideal condition is a question that is perplexing statesmen and causing anxiety in railway circles. The railways themselves put their case, or perhaps I should say their grievances, briefly as follows:

(1.) Increased and unfair taxation.

(2.) A demand for physical improvements that cost enormously, and give no return for the capital invested.

(3.) Legal restrictions that, if lived up to by all, would result in ruin to some and undue advantage to others; consequently, the laws are not enforced and the railroads are placed in the position of being law-breakers.

(4.) An over-supply of railroads, which entails excessive

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competition and renders possible (if, indeed, not necessary) a compliance with the demand that railroads become "geographical equalizers," and which, when taken in connection with the present development of civilization, seems to force large aggregations of capital, permitting such aggregations, through competition, to demand and secure unfair discrimination in their behalf.

A glance at the individual accounts of railroads brings to light remarkable freaks of direct taxation, in certain roads reaching 20 per cent., or one-fifth, of the net earnings. For some reason the Interstate Commerce Commission makes no mention, by itself, of railway taxation, a serious omission in what are otherwise complete and satisfactory reports. This omission makes an over-statement of about $40,000,000 annually in the net earnings of railways, and is therefore misleading. In a recent memorial of the Atchison, Topeka and Santa Fe Railway Company to the Legislature of the State of Kansas it was shown that out of every dollar the Santa Fe earned in Kansas it paid back at once about 70 cents for labor and supplies and about eight cents more for taxes. In 1895, the net earnings in Kansas were about $1,800,000, out of which about $800,000 was paid for Kansas taxes. Surely the representatives of the Santa Fe were justified in asking what other industry or business in the State was taxed 44 per cent. of its income. A similar memorial addressed to the Missouri Legislature last month by the Chicago, Burlington & Quincy Railroad brought out the fact that out of an annual business of $30,000,000, $21,000,000 was used right in the State in expenses. These are but typical cases; many others could be given showing the innumerable burdens placed upon these properties by State legislatures.

The present difficulty seems to lie in the fact that State legislatures are not only inclined to pass laws still further reducing the rates of transportation, but there is a strong tendency to increase not only the direct but the indirect taxation of railways. Coming, as it does, at a time when, as I have shown, a condition of affairs exists almost beyond control of the railways, involving reduction of rates and of earning capacity, it is even more serious than it would be during more prosperous times. By "indirect taxation" I mean doing away with grade crossings, the requirement of improved terminal facilities, additional watchmen, and

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other demands for the benefit and safety of the public—demands just and right in themselves, and easily attainable with a remunerative rate of transportation, but which become burdensome under extremely low and unprofitable rates.

Among the remedies proposed are joint ownership, more rigid economy, consolidation of management, State ownership, the legalization of freedom of contract between railways, including right to divide business and lessening expenses at competitive points. There is undoubtedly a tendency of late years to joint ownership and consolidation of interests, and, as a rule, these changes have not been detrimental to the shippers, the public, and the railways. It has been truly urged that no combination of carriers, whether formed in evasion of existing law, or organized under legalized pooling, can be more powerful or alarming than actual consolidation. And yet the experience has accomplished an acknowledged fact that consolidation has not resulted in any increase of charges ; but, on the contrary, has been attended by considerable reductions in rates and improved facilities, and the better accommodation of the public.

That all the great railways are practising economy, and equiping, as far as income will justify, for the keener competition, must be admitted by those who have even studied the question superficially.

The question of state ownership, as yet, is hardly discussed in the United States. Those who oppose it take the ground that government ownership will not reduce rates, but that it will deaden invention and initiative. The railway systems of this country and England are undeniably better examples of what private enterprise can do than those who favor state ownership can point to as illustrating government control. In efficiency the advocates of private enterprises have the best of the argument. In the United States the railways run a train thirteen miles annually for every man, woman, and child. In England the figure is eight, in Germany four and one-half, in Belgium three and one-half. In Australia, where public control and ownership is absolute, where the roads are operated by the same race as our own, they have not yet run trains at a speed equal to eight hours' time between New York and Boston. This affords, it seems to me, a reliable indication of the probable efficiency of state-owned railways. This plan offers but few attractions and

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many obstacles. To adopt it means to throw away more that is good than could possibly be gained.

The national legislation inaugurated ten years ago is admittedly in the right direction, and in its extension and perfection may be found the best way out of the difficulty. The ship may be leaking, but that is no reason why we should scuttle her in mid-ocean, or turn back when there is a fair chance to reach the port we started for. The railway companies of the country recognize the usefulness of the Interstate Commerce Commission, and have aided the Commissioners in the enforcement of the law. If it had not been for the fatal experiment known as the "anti pooling" section of the law of 1887, the work of the Commission would have been far more effectual, the railway problem much nearer solution than it is to-day, and equality of rates between large and small shippers much nearer accomplishment. The Interstate Commerce law, in asserting and insisting that rates shall be reasonable, that there shall be no unjust discrimination, moved along the line of sound principles. In all these provisions the Commission has had the support of the railway interests, or it would not have achieved its present success. To this extent, in matters relating to the publicity of rates, of the returns for statistical purposes, and other provisions, the work of the Commission has been successful. The section of the Interstate Commerce bill which destroyed the freedom of contract with the common carrier, was based on no principle, imbedded in no common law and antagonized the best experience. That section was an experiment, an experiment of which its author, Judge Reagan, now says:

"Further study has caused me to believe that the section may be amended, so as to benefit both the railroads and the people, by allowing the railroads to enter into traffic arrangements with one another."

The State Commissioners of Railways, at a convention in Washington in 1894, adopted a resolution of similar import:

"*Resolved*, That it is the sense of this Convention that competing common carriers may safely be permitted to make lawful contracts with each other for the apportionment of competitive traffic or the earnings therefrom; provided, that conditions and restrictions be imposed which protect the public from excessive and unreasonable charges."

It has been fully established that under the present act unjust discrimination on the part of common carriers is more flagrant and more hurtful, because more secret and insidious, than for-

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merly, and results more detrimentally alike to people, to shippers, and to the railroads. If all the railroad companies charged according to their published rates, there would be no trouble, but the tell-tale earnings and increasing cost of commissions and enormous amounts paid for soliciting business tell the story so plainly that even Judge Reagan thinks his favorite section five (which helped to do the mischief) may be amended. The proposed law would remedy much of this. The railways would be benefited in a large class of expenses, which they are now obliged to maintain through being unable to unify and concentrate their business. Not only will the railways be satisfied with this, but the shippers, who seek no individual advantage. At the annual meeting of the National Board of Trade held in Washington, January, 1897, an important report of the Committee on Railroad Transportation was adopted, looking to a remedy through the medium of the Interstate Commerce Commission. Among other things this report says:

"That the great majority of railroad managers and of shippers on railroads are sincerely desirous of remedying these unjust discriminations, there can be no doubt; and, with the co-operation of this majority, with the Interstate Commerce Commission, it would seem that they might be gradually eliminated, but, as a condition necessary thereto, railroads must be given the power to enforce their agreements upon each other, which they are now prohibited from doing by the prohibition of pooling in the Interstate Commerce Law. This law should be so amended that [pooling under the authority and supervision of the Interstate Commerce Commission should be allowed."

The Interstate Commerce Commission has accomplished a good work, and it would seem to be wise to continue in the same direction. And the idea is emphasized, by reason of the fact that the railways, the representatives of the shippers, the officials of States having charge of railway matters, and the Commission itself are substantially in accord on this point. There may be differences of detail, but the bill to amend the Interstate Commerce law now before Congress meets with the approval of nearly all conflicting interests. This proposed measure is practically the Patterson bill which passed Congress by a large majority and was approved by the Committee in the Senate two years ago. It was subsequently reported by the Interstate Commerce Committee of the Senate, but never reached a vote, on account of pressure of other business and a short session. The bill is in the interest of the public, the shipper, the

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railway employee, and the railway. It will also strengthen in many ways and make more effectual the work of the Interstate Commerce Commission. The public and the shippers will have a uniform, just rate, which will not discriminate against the smaller shippers and which cannot in any way become extortionate or unjust under the protection afforded by the bill. The railways, should this bill become a law, will thereunder obtain merely the lawful schedule rate, something they have not been able to maintain under the present law, because that rate is constantly fluctuating and generally in the interest of large shippers alone.

Few realize that one mill, or one-tenth of one cent. per ton per mile additional upon the tonnage of 1895, would have yielded over $80,000,000 additional income. Thus the infinitesimal fraction of a dollar, the mill, is all that stands between the prosperity and insolvency of railways. That extra mill would give employment to 200,000 day laborers for twelve months, as they are badly needed on the tracks and road-beds, in the yards, and shops of our great railways. It would have given food and raiment to 800,000 human beings in all parts of the country during the year. The saving of that mill merely added to the millions of some of the great individual shippers. The farmer received no benefit from it, for his product must go through the temple bar of a shipper with "a rate." The small shipper gained nothing, for he paid the "schedule rate." It is important for the public to realize that it would have been far better to have entrusted this mill to the railways, not for safe keeping, but because they are the great distributors, not only of freight and passengers, but of money. Whether it be one mill or two, the railways must earn enough to enable them to keep pace with the times in furnishing all facilities to the public and carry on needed improvements upon the property.

As to what are just and reasonable rates on all competitive business, that would, under the proposed law, be subject to review by the Interstate Commerce Commission and by the courts. This would seem to be just and reasonable, and a law which permits of an agreement for the purpose of maintaining fair and reasonable prices and of paying a living wage cannot be contrary to public policy. In fact, the measure should be so framed as to protect the public and the shipper against high rates and en-

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able the railway companies to get the schedule rate from all. Our railways are entitled to a net earning that will put them on a solvent basis, open up the workshops and give employment to a larger number of men. In short, the railways want, as a popular President of a great system remarked the other day, "common justice and that of the commonest sort."

LLOYD BRYCE.

II. A MERCANTILE VIEW.

BY JAMES J. WAIT.

THE writer is not in sympathy with the demagogue who seeks to win votes by abusing railroads, nor with the citizen who regards a corporation as his natural enemy. The transportation companies are so identified with the development of our country that we can afford to forgive them much. Any one who has seen, for example, the rice crop rotting on the ground for want of a market, in one part of China, while famine prevailed in an adjoining province, must realize that a railroad, even with the most riotous stock-jobbing and rate manipulation, is so much better for the public than no railroad at all, that he will be disposed to deal gently with the erring. It will, perhaps, not be denied, even by railroad men, that their methods were largely to blame for the widespread disapproval and hostile legislation of the immediate past. The injunction "Whatsoever a man soweth, that shall he also reap," is well illustrated by the history of the granger movement. Nevertheless, any statements herein which may be construed as criticisms of the practical operation of our railroads are made more in sorrow than in anger. For the stock-jobber and wrecker, no apology is offered, except that they are no worse than those who pursue similar methods in other lines of business.

With a few notable exceptions, discriminations have not been practised by railroads with a discriminating intent, but with the object of securing to their lines a share of the traffic at rates which they knew, or had been led to believe by shippers, were in effect over competing lines. If the shipper was correct in his statements there was little actual discrimination. If his statements were not true the moral responsibility for the discrimination rested upon him, and not upon the railroads. The

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railroad manager, who had been misled by shippers, who finds every concession in passenger fares abused through the scalper's office, or his revenues depleted by false weights and a wrong description of property offered for transportation, who detects merchants shipping cutlery as iron bolts and dynamite as dried apples, easily acquires that habit of thought toward the public which makes some individuals feel that it is no crime to beat a railroad, because they believe the railroad will beat them if it has a chance. One of the most important steps towards making the railroads honest with the people is to educate the people to be honest with the railroads, and to convince the latter that such is the public sentiment and intention.

The commercial relations of the railroads to their patrons are controlled by six great legislative bodies, briefly described as follows:

The Joint Traffic Association, covering the territory from the Atlantic Seaboard to the Mississippi River, north of the Ohio River.

The Western Freight, the territory between Chicago, St. Louis, etc., and the Missouri River and St. Paul.

The Trans-Missouri, between the Missouri River and the Rocky Mountains.

The Southwestern, covering Texas business.

The Southern States, the territory east of the Mississippi and south of the Ohio River and the Virginias.

The Transcontinental, governing business destined to and from the Pacific Seaboard.

The personnel of these associations is composed of representatives from the various railroads within the prescribed territory, or those interested in the business controlled by the association. They have a chairman, or executive head, and three of them, the Joint Traffic, the Southwestern, and the new Western Freight Association, have each a board of managers, whose powers are apparently partly legislative and partly executive. The contracts or agreements upon which the associations are founded are not made public. They are popularly supposed to be pools, in which settlements are made by money payments or diversions of traffic. The explanation given by the railroads is that they are for the purpose of providing uniformity and stability in rates, and to secure for each road its fair share of the traffic, "so far as they

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can legally do so." Each association is split up into sub-associations and local committees, and, together with smaller ones not mentioned, the total number approaches one hundred.

An action in the courts has been brought against the Joint Traffic Association, which will be watched with interest by both the friends and the enemies of railroads. It is certainly a fact that rates have never been so well maintained between New York and Chicago, and similar territory, as during the life of the present association. It is certainly in accordance with public policy that rates should be stable, and that, within proper limits, the railroads should be allowed to protect themselves against ruinous competition. If it is right for the wage earner to associate with his fellow for mutual protection, why is it not also right for the corporations? The abandonment of such a plan by the railroads would lead immediately to a state of commercial anarchy. If every road proceeded to adjust its tariffs without consultation with its neighbor, the confusion would be a practical embargo upon business. The situation even now is badly mixed, and the services of experts are required constantly by the shipping public.

A glance at the territory of these associations shows that they overlap. To the novice there is apparently conflicting jurisdiction, and to this is due in a large part some of the troubles which cause much complaint. The principal difficulty, however, arises from the fact that the individual roads, members of these associations, have conflicting interests. They severally serve sections of the country, or trade centers, which are in active competition, and hence much of their legislation is in the nature of a compromise rather than in accordance with strict equity. Some of the associations are dominated by a particular interest, which is sufficiently strong to coerce the others. This, of course, has the usual result in acts of piracy on the part of the weaker lines, and reprisals by the victim. The public would not be concerned in this if the effect was confined to the railroads, but there can be no serious misunderstanding between the roads without an immediate injury to some person, locality, or branch of business.

During later years a system akin to lobbying has grown up, by which persons or localities have sought to influence the acts of these associations. Large mercantile and manufacturing in-

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terests have endeavored to secure an adjustment of rates which would give them an advantage over some competitor. Communities, especially smaller cities and new jobbing centres, have complained that they are unable to compete with the great central markets, and by every device, including downright misrepresentation, have sought, and frequently with success, to use the associations for their own ends. There are some cities and some divisions of territory which are practically as much discriminated against as if we had a system of protective tariffs between the States. The amazing spectacle was recently seen of a number of prominent merchants appearing before one of the associations with the claim that the rebate system had been a necessity of their business, that a large portion of the United States was naturally tributary to their city, belonging to them by divine or some other right, and the demand for rates so arranged as to exclude other communities from competition within their domain.

It has also become common for producers of staple articles which are sold largely during one season, such as canned goods, fence-wire, etc., to make, in strongly competitive territory, delivered prices for future shipment, which are impossible except through a reduced freight rate or a cost price which would leave no profit in the business. When the time for shipment arrives, reduced tariffs are made public in full conformity with the law, and the goods carried accordingly. This is as great a discrimination as was possible under the rebate system, for the reason that other merchants and manufacturers, deprived of the fore-knowledge of reduced rates, are unable to compete, and by the time reduced rates are in effect, the market has been stocked.

In many parts of the country the relation of the carload rates to the rates charged on less than carload shipments is such that a large dealer is practically subsidized to the detriment of his smaller competitors.* A noticeable fact is that some railroad men realize these things, and are outspoken in condemnation, but from the very nature of their associations, which require a majority, or in many cases a unanimous vote, the individual road, or several companies acting together, are powerless to correct the evil.

* In extreme cases a difference of 260 per cent. of the rate and nearly full value of the goods.

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The remuneration which the railroads receive for their services is fixed by these associations through their rate schedules, each of which consists of two to four parts : A classification, or list of all commercial articles assorted into several groups, varying in the different publications from 6 to 10; a table of rates showing the prices at which articles of the different classes are to be carried ; a list of exceptions to the classification, or a list of "commodity" rates, that is, reduced prices applying upon articles specially mentioned.

There are three general classifications : The official, applying in Joint Traffic Territory; the Western, containing about 10,000 items, applying west of Chicago and the Mississippi River to the Pacific Coast, and the Southern, applying east of the Mississippi River and south of the Ohio River. In addition to these are State classifications, like that of Illinois, and local classifications of various railroads, applying upon their own lines. These classifications also overlap.

A shipment from New York to St. Paul through Chicago would be carried the entire distance under the official classification. A shipment from Chicago to St. Paul would be carried under the Western classification. A shipment from Birmingham, Ala., to St. Paul, would be carried to Chicago under the Southern classification, and from Chicago to St. Paul under the Western. A shipment from San Francisco to St. Paul would be carried under the Western classification, unless the Trans-Continental Commodity rates were less. A single shipment may be carried under three different classifications, as for instance, one from Colby, Wis., for Lebanon, Ky., would be subject to the Western classification to Chicago, or other basing point, the official to the Ohio River, and the local Louisville & Nashville classification to destination. Shipments from New York or Chicago to San Francisco are governed by the Trans-Continental Commodity rates, which are so numerous that they practically amount to another classification. There is a wide variance in the grouping of many articles in these publications, resulting in discrimination. A shipment has actually been carried from Muncie, Ind., for example, to Kenosha, Wis., for a less charge than for a similar shipment from Chicago to Kenosha, thus violating the long and short-haul clause of the law, although the tables of rates taken alone were made in conformity therewith.

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The multiplicity of tariffs is astounding. On one road, having 502 miles of track, there were in effect, October 1, 1896, by actual count, 1,605 distinct publications dignified by the name of "tariff," and in addition numerous rate sheets, billing orders, percentage sheets, and circulars, some of which, like the Irishman's duck, do not hold still long enough to be counted. Since the passage of the Interstate Commerce law, every charge upon interstate shipments must be covered by a tariff printed according to a prescribed form, and filed with the Commission. The law might well be styled "an act for the benefit of printers." The yearly printing bill of one of our large systems amounts to over $75,000, and their printer has frequently $60,000 worth of type kept standing in the forms for them. These tariffs, posted, as required by law, for the information of the public, are practically a sealed book. They are so intricate that the ordinary man can make nothing out of them. The elementary method of ascertaining a rate must be, first, fixing the geographical location of the points between which the shipment is to be carried, in order that the documents pertaining to the proper association, or carriers, may be consulted; second, examination of the classification for the group in which the article belongs; third, an examination of the table of rates to ascertain the figures in dollars and cents; then a further hunt for exceptions to the classification or commodity rates which may affect that particular article. Then in some cases, as for example, a shipment from Chicago to Phœnix, Ariz., the rates from Chicago to the Pacific Coast, plus the rate from the Coast back to Phœnix, must be examined to see if they will not make a lower combination than the regular published rate from Chicago to Phœnix. In other sections the rates will vary *via* different gateways, and a number of combinations must be figured before the lowest can be ascertained. By this time the novice is thoroughly confused, but confusion may be worse confounded, so far as competition is concerned, by the fact that commodity rates frequently permit several articles to be loaded together in a mixed carload at the carload rate, and that these specifications vary with the territory, and with the last grist of legislation turned out by the association. The minimum weight which is necessary to make up a carload also varies, and there are many apparently arbitrary regulations to entrap the unwary.

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It would seem that an easy way to avoid all of this would be to apply to the representatives of the railroad companies for information, and hold them responsible for the figures given, in the same manner as a man contracts for any other commodity. But, unfortunately, here the law steps in. It is illegal for a transportation company to charge more or less than the figures prescribed by their publications on file with the Interstate Commerce Commission. If a railroad representative makes a mistake and quotes too high a rate the inquirer will probably be underbid; if too low, and a loss results, the shipper has no recovery except through the good graces of the carrier, and the opinion has been given that such recovery is under the law a penitentiary offence. Certainly, if it were not illegal, it would only be necessary for some one to "blunder" in order to beat the law. It may surprise the managers of some of the railroads to know that a shipper can sometimes procure almost as many different rates applying to a complicated territory, as there are railroads to apply to. The confusion is such that a thoroughly posted rate man is not always to be found, and hence it is incumbent upon the shipper to personally confirm the rates he uses. Shippers handling special commodities only, such as lumber or coal, find their way through this labyrinth with comparative ease; but, just about the time they acquire confidence, changes are made which upset their calculations. In the complicated lines of business, such as the grocery trade, for instance, there is a never-ending struggle to keep informed, and the most active and best-posted shippers are misled. The best evidence of the complication of our system is that traffic men sometimes express astonishment when shown the figures and effect of schedules which bear their signatures. It is also apparent that one of the purposes of the Interstate Commerce law was to insure publicity of the dealings between the railroad and its patrons, for the protection of the unfavored shipper, and if it became the general practice to rely entirely upon the statements of the railroads concerning their rates, discrimination similar to that of past years would be easy.

The immediate effect of the passage of the act to regulate commerce was a general wiping out of the rebate system. It did not take long, however, to convince the railroads and "big shippers" that they had little to fear from the Commission, and the old system was resumed with the exception that the discrimina-

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tions were confined to a smaller number of the patrons of the road, and were harder for the victim to discover. Under the unrestricted rebate system, almost anyone who conducted his business on the proper basis, and was able to keep his mouth closed, could secure rates necessary to meet his competition. Under the new system he frequently could not tell what hurt him. The disregard of the law grew until there was the utmost contempt for its provisions! When the decision in the Brown case was handed down, confirming the right of the Commission to compel testimony, and after some prominent railroad attorneys had visited Washington, and been told they meant business, there was such a house cleaning all over the United States as would have fired with envy the New England matron. It is safe to say at this writing that rebates or special privileges are few, and such as do exist are probably confined to devices having at least a color of legality. The severe penalties of the Interstate Commerce law were really its weakness, as hitherto no man could be found who would be willing to testify concerning a penitentiary offence, which was to him simply a business transaction. Granting that the rebate system is practically ended, there are evils as great, which seriously affect the merchant. Although the discrimination against individuals is small, the discrimination against localities and trades has not disappeared, and there seems to be at present no feasible way of reaching it.

The remedies usually suggested for the present evils are government ownership, government operation, government control, and by the railroads legalized pooling. The old pools were certainly not a sure preventive of wars and rate manipulation. It was during their life that the abuses arose which brought about the Interstate Commerce law. The pools usually went to pieces because some line, dissatisfied with its portion of the tonnage, cut the rates to secure a larger revenue, or increase its pool percentage. It frequently happened that a road when ordered to turn over tonnage, or to pay over a balance, would decline. In one instance, where a forfeit had been deposited to the chairman's order, and was drawn upon by him, the offending road stopped the payment of the check by some legal process. With legalized pooling the roads could enforce their penalties, but it remains a debatable question whether by that means the abuses of the old pools would be avoided. Legalized pooling

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under control of the Commission, as proposed, would not be safe until that body is better equipped, and is clothed with something more than "power to scold," as one railroad president has described it. If the railroads really wish the popular consent to a repeal of that part of the law, they should first maintain a more respectful attitude towards the Commission, cease from making tatters of its decisions, and divert the acumen of their lawyers into more patriotic channels.

Government ownership, or government operation, are not feasible in this country, until our public business generally is conducted upon a higher plane. A railroad train manned by political appointees, of the grade which one frequently meets in public offices, would not be safe for passengers; and anyone whose business takes him to the City Hall would be slow to entrust his commercial affairs to a similar outfit. Collection of claims, also, from the railroads, is hard enough, but anyone who has a claim against the government would be very glad to trade it for a similar one against a transportation company. If we leave where it is the ownership and operation of the roads, and endeavor to strengthen our present attempts at government control, we will be proceeding in the right direction. The Interstate Commerce Commission should have the support of public opinion, and also of the courts. The chairman has complained that the courts are against him, and that Congress is deaf to his recommendations. The shipper feels that an appeal to the Commission is practically handing down the question to posterity. An order of the Commission, dated May 29, 1894, was obtained by merchants of Cincinnati, requiring the Southern railroads to reduce their rates from that city into the Southeastern States, in conformity with the lower scale applying from New York. The roads paid no attention to this, except to go out of their way to defy the Commission. The matter has been in the courts ever since, and there is no guessing as to when it will emerge.

The anti-railroad legislation of the past has been largely in the direction of providing a schedule of maximum rates. So far as known, there is no Commission, national or State, whose power has been confirmed to fix a specific rate, or to advance too low a rate. Experience has shown that rates in the long run will decrease through competition, but that too low a rate may cause as great injustice and discrimination as a rate that is too high.

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The personnel of the national and State Commissions should be more carefully watched. The work of the former is, apparently, performed by three members. Everything points to greater demands upon them for the future. Anyone who realizes the size of their undertaking will know that so small a number of men cannot hope to administer it successfully. There should be on the Commission, besides lawyers and politicians, at least one good business man of commercial training, and one man of experience in transportation, either as a railroad man or as a shipper. There have been unsuccessful cases under the Interstate Commerce law, where evidence was secured, but concealed by railroad technicalties, which are sometimes as obscure to the lawyer as legal diction often is to the ordinary citizen. The State commissions should be induced to act in harmony with the national Commission, or else the latter should have some authority or veto power over their acts, for the reason that any change of importance in rates, within a State, will immediately react upon interstate business. The Interstate Commission, if it is to amount to anything, should have the power, recently denied by the Supreme Court, of naming specific rates in its decisions and enforcing its decrees, subject, of course, to a court decision that they are reasonable and just. The Supreme Court decision, denying the right of the Commission to regulate the inland proportion of a through rate upon imports, is probably good law, although a vigorous dissenting opinion throws doubt upon it; but if so, the act should be amended, for it is not common sense from the standpoint of the merchant. Articles manufactured in competition with industries in the United States have been shipped, for example, from Wales to Denver, at a cost actually less in dollars and cents than the rate from Chicago to Denver. If a protective tariff is right, the transportation companies ought not to be allowed to abrogate it, and if it is not right, Congress, and not the railroads, should settle the question. One of the first steps to unravel the tangled skein of transportation would be uniform classification. There is now a measure before Congress empowering the commission to prepare one, and put it into effect. That it is desirable is self-evident, and that it is feasible is evidenced by the fact that the railroads spent years in an endeavor to secure such action by mutual agreement. A classification was actually prepared and submitted,

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containing some objectionable compromises, although a step towards reform, but its adoption was defeated by one or two negative votes, out of the hundreds of corporations interested.

There should be friendly co-operation between the railroad associations, the public, the State and the national Commissions, to procure legislation strengthening the latter, and to uphold whatever is good in the railroad pools, and that there is much good in them no shipper can deny. The boards of managers are composed of broad-minded men, having large experience, who, no doubt, realize that the ultimate success of their associations lies in an administration producing exact fairness to persons, localities, and interests. If the personnel of the railway commissions can be kept upon as high a plane, and legislative bodies induced to act upon their suggestions, we can safely leave the solution of this problem to such a combination.

JAMES J. WAIT.

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IN DEFENCE OF KANSAS.

BY THE HON. EDWIN TAYLOR, OF THE KANSAS SENATE.

In nearly every newspaper that comes to us from our old homes, we find this sentiment put forward with apparent sincerity: That our adopted State of Kansas has fallen into political idiocy, and that we, who were once the neighbors of those writers, have renounced common honesty, and have forfeited all claims to their respect. To some extent the pattern and example in this denunciation has been set by irresponsible writers, living amongst us, whose communications to the Eastern press have been characterized by an airy indifference to facts and results. But mainly it is due to an entire misunderstanding in the East of the conditions existing here a few years ago, which placed Kansas then on the top shelf of prosperity, and of the succeeding conditions which have turned so much of that fair-seeming fruit to ashes on her lips.

Ignoring any gibes at the dominant politics of Kansas further than to say that no one State which voted for McKinley is shown by the census of 1890 to have so small a percentage of illiteracy among its white population as Kansas; that nine-tenths of our large colored population, 46 per cent. of which in 1890, as shown by the census, was illiterate, voted for McKinley; and that the Italians, Poles, Hungarians, Armenians, and Russians, who neither speak our language nor understand our institutions, are overwhelmingly Republican—ignoring all that, it is the purpose of this paper to explain the extent and cause of her disasters; and, for the information of those who may desire to know the truth, put the blame of her recession where it belongs.

The State of Kansas is 408 miles from east to west. For the present purpose it will be considered as divided into two equal

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parts—the eastern half and the western. With respect to its soil, the latter is probably superior to the former and to most like bodies of land on this earth. But it is deficient in moisture and excessive in sunshine and wind. The precipitation tapers, so to speak, from the east line of the State to the western boundary. On the eastern border of Kansas the precipitation is in round numbers 39 inches annually; 100 miles west it is 35 inches; at 200 miles west it is 25 inches; at 300 miles west it is 20 inches; at the western line of the State it is 15 inches. The great crops of wheat and corn that have made Kansas famous have practically all been raised in the eastern half of the State. The eastern fourth of the State contains more than one-half of its taxable property, and more than half its population. While its soil possibly may not be so extraordinarily fertile as that of western Kansas, it is yet, compared with Eastern standards, remarkably productive. Its expectation of rain during the year, and particularly during the "growing season" (April, May, June, July, and August) is several inches better than that of Eastern Ohio or Southern Michigan.* A great portion of this domain was "cleared up" by nature, ready for the plow. The settlers had only to take their improvements out of their pockets, as it were, and start their teams. The harvests in this portion have been plenteous, and while the prices were remunerative its farmers were prosperous, and their prosperity insured that of everybody else. Many of these farmers had borrowed money for the purchase of their land or for its improvement, loans running back through occasional renewals from five to twenty years. By degrees, of late, they have found that those debts have undergone a change of ratio to the property on which they rest. Measured in the agricultural values that obtained when they were contracted, these debts have grown and the property has fallen away. Whereas the farmer once was on an equality with the mortagee, now he has awakened to the fact of a seismic upheaval in the financial world by which the mort-

*The annual rainfall at Detroit is.....32.53 in.
" " " " Cleveland.....36.29 "
" " " " Kansas City.....37.11 "
" " " " Atchison, Kan.....40.00+ "
" " " " Ft. Scott, Kan.....40.00+ "
Average east line of Kansas.....39.00+ "
The average rainfall for the growing months, April, May, June, July, and August is for Detroit.....16.04 "
The average rainfall for the growing months, April, May, June, July, and August is for Cleveland.....16.27 "
The average rainfall for the growing months, April, May, June, July, and August is for Kansas City.....22.78 "

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gagee's stratum has been raised, and *his* stratum lowered to the point of submergence. Whatever difference of opinion there may be as to the cause of this shifting in the financial stratification, its existence must be apparent to the most superficial observer. Neither is it confined to Kansas, nor to the West. Nowhere is its effect more observable than in New England. Wherever, East or West, the subsidence in farm values has exceeded in extent the size of the equities, then, as a consequence, a greater or less fraction of the mortgages has also been swept away. The mortgagee who finds himself in possession of liens upon land in excess of present values, and feels thereby aggrieved, may well be challenged to show on what ground he puts an accusation of moral obliquity against the farmer who has gone down with a tide he could not stem.

The towns in eastern Kansas grew rapidly. A quick and substantial growth was legitimate for them. But they were not allowed to stop there. They were taken in hand by "investment syndicates," "loan and trust companies," "financial agencies," etc., who platted corn-field additions, marked the lots up to dizzy figures, built upon them expensive houses, if desired, accepting a small proportion of the price in hand and a promise of monthly payments thereafter. The resulting "paper" they "negotiated" in the East, principal and interest being "guaranteed" by the syndicate. The "investment" companies were not all composed of bad men, but their methods were all bad, and much mischief resulted from their operations. In the main the men themselves were unprincipled sharpers, who, with the assistance of their Eastern connections, built up a lattice-work of credit and fictitious values and hocus-pocus securities, which, when it tumbled, brought ruin to all concerned. While the farce went on the interest, or even payments of principal, could be met as "guaranteed" by the "agencies" out of new money coming into their hands from their Eastern dupes for "investment." A recent paragraph says that the savings banks of New Hampshire alone have lost $4,000,000 in such securities. Let the victims of that wholesale spoliation not vent their anger wholly upon the poor Kansans who were also victims, but upon the slippery scoundrels of their own town, likely, the sons or sons-in-law of their local banker, perhaps, who, trading on confidence and relationship, beguiled them into pouring their money down a rat-hole.

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Those gentlemen are now mostly gone from us; some of them, we know, are back among their "wife's folks," heading the howl about "dishonest Kansas." Well, the bubble broke at last. The values that were created by credit departed when credit was gone. The banks give and the banks take away. Prices first fell, then they tumbled. The collapse of speculation caused a stoppage in business. Then the artisan, or clerk, or laborer, who had put his hard-earned savings into some "payments" on what he fondly hoped would be his home, woke up one morning to find himself out of work and with his monthly payments going on with the regularity of time. With the first default in the payments began that legal grind, which, after all the the "law's delay," resulted in final eviction. In many cases the family had half paid out, and had their whole "stake" in the world tied up in this home. Is it strange that, in the agony of engulfment, such people should avail themselves of every legal technicality to stave off the extinction of their hope?

This much for eastern Kansas. Western Kansas has equally suffered from exploiters and boomers, and in addition thereto has added disasters peculiar to itself, attendant upon "running up against" nature. As before said, the western half of Kansas is deficient in moisture, and excessive in sunshine and wind. The little rain that does fall is sucked up and dissipated with a celerity discouraging to most kinds of vegetation. That country does not present above its gates the legend, "All hope abandon ye who enter here"; nor should it, for it is a Paradise for stockmen; but it does present a warning to the prospective agriculturist, in a sign as long as the eye can reach—the sign of the "short grass." *Short on rain, short on grass,* is the universal rule in physical geography. This region is covered with a short, wiry, nutritious, and very valuable herbage, called buffalo grass, and where it holds the land without dispute, the intending crop-raiser intrudes at his peril, unless he comes prepared to irrigate. All of this has been known to Westerners from the beginning. But so attractively does the country lie, and so rich and inviting is its deep soil, that it became apparent when the eastern portion of Kansas was taken up that this too might be settled by the uninitiated could they be deceived about the actual fall and short stay of the rain. The several railroads running through this portion of the great American desert, not without reason so

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named in our ancient geographies, held enormous grants of it that to them were practically worthless without population. Great profit was in sight could settlers be beguiled into settling. To this end, since there was no denying what the rainfall had been and was, it was necessary to demonstrate how enlarged it was going to be when once the settlement was made. The foundation for extravagant and groundless expectations in this regard was carefully laid by wide-published "opinions" of alleged scientists that the climatic dryness would yield to treatment. One cause of prospective wet weather, as set forth by the climate-sharps, was that the several strips of railroad steel laid across the State would "disturb the electrical conditions" and induce precipitation. Another was that Nature could be diverted from her arid channel should trees be planted; and this delusion was given an appearance of "business" by the opportune passage of a timber-culture act by the national Congress. It seems never to have occurred to our Solons to inquire what must first be planted before trees to make a climate that trees would grow in. Millions of money and unlimited hope and unavailing efforts were spent in chasing the mirage thus created, which, if charged up to the resulting "timber," would easily bring it to $1,000 a cord. So far as can be observed, neither sun nor wind has been thereby abated, nor moisture increased.

But the most fetching dictum handed down by the expert climatologists was the oracular and seductive phrase: "The plow is the true rain persuader." Then came the manufacturing of the "boom." The advertising of the country by the railroads and steamship companies interested rose to high art. They stopped at no device of types or color, no reach of invention, no limit of expenditure, in putting this impossible "Atlantis" before the people of America and Europe, pictured out with "an intent to deceive," which the Heathen Chinee himself might have envied. Agents by the score rushed over to Europe for immigrants, and other agents by thousands opened their recuiting offices in every county of the Eastern States. The result was that probably 100,000 families, from first to last, sailed away, some figuratively in prairie schooners, some literally across the seas, to take up homes where deficient moisture had forbidden profitable crops. But these people didn't know it. They believed the lying advertise-

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ments. They supposed there was actually a basis for the gammon of the so-called scientists who had so lightly proposed to turn Nature down. Many of these families left good homes behind them and came to the short-grass country in hopes to better their condition. They went to work with light hearts. Houses rose up or were dug out as if by magic. Towns grew up in a month, and a town was no sooner named and the essential preliminaries complied with than the town boomers, led mostly by railroad attachés who made a business of locating towns, began voting bonds for every purpose for which bonds could be voted, schoolhouses, bridges, courthouses, new railroads. Under the stimulus of such conditions and the expenditure of the money obtained from the sale of the bonds, the towns prospered for a while, some of them for a year or two, some longer; but none beyond the time of continuing arrivals of "new blood." The farmers who came to farm soon learned that they were duped, but they hung on year after year, with a resolution worthy of a better cause, until all was gone—the money they brought with them, and the money they raised by mortgaging their farms; then they got into their worn-out wagons, with the remnants of their dilapidated furniture, and—drove off. The villages and towns are also largely abandoned. Brick and stone stores, stylish residences, pretentious hotels, are either deserted or rented for a song.

Whether townsmen or countrymen, they all got away with less than they took in. In many cases they did not get away; they died broken-hearted and lie buried with their hopes. And every prairie wind that whistles over their desolate graves breathes maledictions on the heads of the mercenary plotters who betrayed these victims to their destruction by representations they knew to be false, and who are as directly responsible for the ruin they have wrought as the old-time wreckers who by false lights lured storm-tossed vessels on to rocky coasts for the profit in it—to them.

The story of western Kansas is one of the saddest in history unconnected with war. East and West have suffered together there, but not equally, for while the Easterners have lost some money the Westerner has lost his all. And let the Eastern investor seeking for an object on which to vent his wrath look not at his fellow-victim but at the distinguished speculators of the Eastern cities, and their able and unscrupulous lieutenants

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in the West, who put up the job. Every one of those deserted farms is mortgaged, and so likewise are the abandoned stores and dwellings. Why should they not be? Your agent, Mr. Eastern Investor, pursued those people as the wife of Potiphar pursued Joseph, soliciting an opportunity to place a loan on their property. He got his commissions; he was looking out for commissions, not for you. But you are not blameless; it was incumbent upon you to know where your money was going. If you embarked it in financial craft built on lines that insured sinking, don't blame the sailors at the bottom of the sea; blame yourself or those who counseled you that the thing was safe. Then, again, the whole country is bonded. The bonds are largely worthless. What value, think you, is there in schoolhouse bonds when the people are gone, or bridge bonds where there is no travel, or bonds on railroads with abandoned tracks? One county has declared itself bankrupt. Others are sure to follow. It is time that the facts in the case be plainly and bluntly stated, and the reproach that unjustly attaches to the Western farmer for what he could not help be shifted to the shoulders of the Eastern financier and his local representatives.

The State of Kansas, as a whole, rests on as secure a foundation as any State in this Union. Its western half is a permanent meadow. Its stockmen are prosperous; their ranches are increasingly valuable. But the "short-grass country" is a flat failure for unirrigated farming, and whatever financial paper rests upon its assumed farm values is bound to disappoint, if not entirely fail, the holder. The eastern half looks back on forty years of settlement. It has thoroughly proved its capacities. Its values are as stable as any values which depend upon natural resources. Whoever has claims upon those values may, barring an occasional exception perhaps, rest secure. If his claims are built upon lattice work, however—are the frailties of lattice-work not written in the chronicles of all countries and all times? Kansas is no exception to the rule.

EDWIN TAYLOR.

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WORKS OF THE IMAGINATION IN THE OLD TESTAMENT.

BY PROF. C. A. BRIGGS, D. D.

THE Bible is a marvel of literature. It is the book of God containing a divine revelation to mankind. It is also the book for man, in which devout souls in all ages guided by the divine Spirit have drawn near unto God, and have opened up the paths to the divine presence. The Bible contains codes of law, but it is not a law-book for ecclesiastical lawyers. The Bible contains statements of doctrine as bright as the rays of the sun and as clear as a mountain brook, but it is not a system of theology for dogmatic divines. The Bible contains laws and doctrines, but it also contains more than laws and doctrines. It gives a divine revelation for all classes of people, for all races, and for all nations. It is for the merchant and the physician, for the father and the mother, the young man and the maiden, the child and the peasant; and therefore it approaches all these classes of people in the way in which they can be reached.

Accordingly, the Bible has been given to men in the varied forms of the world's literature. The Bible is largely composed of History. But this history is written chiefly in the popular style, where the imagination prevails over the logical arrangement of facts and words. If Biblical history had been written for the scholarly historian, doubtless it would have been composed in an entirely different way. It would have told us more that the historian desires to know. To the professional historian Biblical history is quite disappointing, for it is silent about those things he needs to investigate, and gives the most of its space to matters that have little attraction for him. Biblical history was written for the instruction of the people of God in all ages. It is not the history

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of the world of Israel, but the history of Redemption. It is evident that it has accomplished this purpose. Biblical history is the most interesting, charming, and attractive in the world, because it is a history for God's people, to instruct them in the story of God's presence, and His redemptive working in the world.

A second great division of Biblical literature is Prophecy. This may be compared with the oratory of other nations. Much of it was oral. But a large portion of it was written for reading and not for speaking. The prophets are not easy reading. They are difficult, partly because the circumstances of their writing are not familiar to us. They address men and women in another age than ours, and in different conditions and circumstances from those familiar to us. It is hard for us to get into a condition in which their address will seem appropriate to our age and its affairs. A large portion of Hebrew prophecy is, and must be, for most moderns of little practical importance. But there are portions of the Hebrew prophets which are read with great delight in all parts of the world, and by all classes of people; these are those in which the imagination reigns, painting with delicate touch, with masterly outline, and with glowing colors, the sublime scenes of the Messianic future. It is the imagination of the prophets that makes them the religious instructors of mankind.

A third great division of Hebrew literature is Poetical Literature. This embraces a collection of Lyric Poetry,—the Psalter; a collection of sentences and poems of wisdom,—the book of Proverbs; a collection of dirges,—the book of Lamentations; and three elaborate pieces,—the book of Job, the Song of Songs, and Ecclesiastes. The three last named are not collections, but rather pieces of composite poetry of a more artistic kind than anything found in the three great collections.

The Psalter and the book of Proverbs show us the wondrous poetic insight and the matchless grace of composition of the Hebrew poets. The historical books contain many beautiful poems. Another collection as large as the Psalter might be gathered by bringing all these scattered pieces together in one book, embracing such interesting poems as the sword-song of Lamech, the stories of the creation and the deluge, the epic of the fall of mankind, the birth-song of Sarah, the blessing of Jacob,

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the ode of the Red Sea, the songs of the ark and of the fountain, the predictions of Balaam, the blessing of Moses and his song of prophecy, the ode of Deborah and the hymn of Hannah, the dirges of David over Jonathan and Abner, and very many others. Every variety of lyric and gnomic poetry is here represented. No ancient nation can present more splendid collections of poetry than those contained in the Bible. The Psalms are the most familiar lyrics in the world, the sentences of the book of Proverbs are the maxims which outshine the ethical precepts of the sages of Greece and of Rome, of Egypt and of India and of China.

The three great pieces of composite poetry rise to greater heights of poetic art. (1.) *Job* is a gnomic, didactic drama, presenting a combination of poetic skill that is unique in the world's literature, only approached in modern times by Goethe's *Faust*, which indeed was modelled after it. The older writers thought that Job was prose and the story historical, but it is now conceded that the book is a masterpiece of poetry, and it is commonly recognized that the story of Job in whole, or in part, is a work of the imagination. The book gives us a prose prologue stating the problem, to test the integrity of Job, by means of afflictions directed by Satan. The lower stages of the affliction are rapidly sketched. The poem then describes the temptation of Job by his three friends, ancient types of Pharisees. The conflict with them is in three stages in which Job rises higher and higher in his religious experience, until he grasps a solution of the mysteries of human life which his Pharisaic friends never dreamed of. They are silenced; and Job gives his grand discourses on victory. The discourses of Elihu, whether an episode, introductory to the theophany, or a later addition to the poem; and the discourses of God, in which the wonders of creation and providence are described as nowhere else in the Bible—all contribute to the solution of the same problem of human suffering. The whole concludes with the submission of the God-fearing Job and the rewards of his victory. Here is a drama of human experience under divine discipline, human persecution, and Satanic temptation, which is a masterpiece of literature as well as a marvel of grace. The ideal features of the poem as a work of the imagination have greatly increased our appeciation of it. The older divines could not understand the book when they viewed it as his-

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tory and as prose. The youthful and conceited Elihu was praised above Job by some of them, as if he were a type of the Messiah, or the Messiah himself; the errors and crudities of the friends of Job were often taken as the truth of God, and so those ancient Pharisees became the perpetual triers of the patience and piety of God's people.

(2.) *The Song of Songs* has been the most abused of all the writings of the Old Testament. Its poetic features were not recognized until recent times. Its divisions in the Authorized Version and the Revised Version are bad. The arrangements of chapters are wrong. The headings of the chapters are misleading. It was for centuries interpreted as allegorical and Messianic, and in later times as typical. No wonder that many discarded it from the canon, and regarded the reading of it as unprofitable. As the climax of the sins against the book, it was rendered, in many verses, in indelicate and immodest language. There is not an immodest or impure word or thought in the book from beginning to end. If correctly rendered, the purest-minded may read it without a blush. Modern scholarship finds in this book a drama of love, five acts of an operetta, each act having its refrain. In it are solos, duets, trios, responsive choruses, and a dance.

The Song of Songs is the drama for women as the Book of Job is for men. The Shulemite, a rustic maiden of northern Palestine of wonderful beauty, affianced to a shepherd whom she dearly loves, has been enticed to the pavilion of Solomon, in northern Palestine. Here the court ladies and Solomon unite in their efforts to make her forget her shepherd and give her love to Solomon. She is taken to Jerusalem, and every effort is put forth at the court of the great monarch by sensuous temptation, by enticing flattery, by brilliant promises, and even by love philters, to win her love for Solomon. She is exalted in praise and honor above his concubines and queens. But all this extraordinary temptation fails; she is faithful to her lover, and conquers by the simple and irresistible energy of her own purity and virtue. She is permitted to return at last to her mountain home, leaning on the arm of her beloved. The drama closes with her song of the triumph of love and with the marriage feast. This drama of love is a gem of poetic composition—the purest, the sweetest, the noblest, of all the poetry of love. If love is holy and Christian—

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and who can doubt it?—no piece of poetry has a better claim to be in the canon of Holy Scripture than the Song of Songs.

(3.) *The Book of Ecclesiastes* is the most difficult book in the Old Testament. It is also a work of the imagination. The traditional theory that it was written by Solomon in his old age is scarcely worthy of mention at the present time. The book has the latest form of the Hebrew language known in Holy Scripture, and if there is any such thing as a history of the Hebrew language, the book was one of the last in composition in the Old Testament. Its position in the development of the Wisdom literature is also late. This book is another struggle with temptation and a victory. Job gives us the victory of a pious man over external temptations and trials. The Song of Songs gives us the victory of a virtuous maiden over all the attacks of the greatest and noblest monarch of the times upon her honor. But Ecclesiastes gives us the victory of the sage who triumphs over internal soul-conflicts and trials. It is a battle in the soul between skepticism and faith, agnosticism and the fear of God. There are two sides of the soul's experience, the dark side of doubt, and the bright side of piety. These come in regular succession in the book until the victory is gained. The difficulty in interpreting the book is in distributing the material between these two sides. Those who take the expressions of the book on its dark side and use them as the truth of God are really perpetuating and unfolding errors which are exposed and removed in the brighter pages of the book. No one can use the book with profit who does not possess the key to its interpretation. It is dangerous to use the two-edged sword of its skepticism and the keen arrows of its doubt, unless one understands the analysis of the book and so is able to turn these weapons of agnosticism by the shield of Koheleth's own heroic faith and the well-tried armor of his sublime reverence of God.

We have thus far considered Hebrew history and prophecy, and have seen the remarkable play of the imagination in these forms of sacred literature. We have also seen the wonderful development of the imagination in Hebrew poetry in various forms of lyric and gnomic poetry, and in the three great poems of the imagination, setting forth, in the measures of composite poetry, in the combination of the dramatic with the lyric and gnomic elements, the three classes of temptation which assail man-

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kind. This rich development of the imagination among the Hebrews raises the question whether there may not also be in the Bible prose works of the imagination. There has been a great reluctance on the part of pious people to recognize such forms of literature in the Old Testament. But an increasing number of scholars find several such works of the imagination among the Old Testament writings. We shall approach the question by working back to it in the lines of the history of Hebrew literature.

(1.) Works of the imagination play a very important part in Hebrew literature outside the Old Testament. The Haggadistic literature of the Hebrews, used chiefly for the instruction of the people in the synagogues and in the schools, was largely composed of such writings. Rabbis used parables, stories, and legends of every variety of form and content with the utmost freedom, in order to teach doctrine and morals, and even to illustrate and enforce the legal precepts of the Jewish religion. Jesus, in his teaching, used the same method. His numerous parables have never been equalled for their simplicity, beauty and power. No human imagination has ever equalled the imagination of Jesus in story telling. The Prodigal Son, Dives and Lazarus, the Good Samaritan, the Wise and Foolish Virgins, the Talents—are masterpieces of art. No historic incident, no individual experience, could ever have such power over the souls of men as these pictures of the imagination.

(2.) The apocryphal literature has many such stories, which have been the favorite themes of art in all ages. Judith and Holofernes, Zerubbabel and the king of Persia, the Maccabee mother and her seven sons, Bel and the Dragon, Tobit, and Susanna, are sufficient to remind one of them. These writings are all regarded as canonical in the Roman Catholic Church. Luther says of Tobit: "Is it history? then is it holy history. Is it fiction? then is it a truly beautiful, wholesome, and profitable fiction, the performance of a gifted poet."

Who can doubt at the present time that these are all stories invented by the imagination of the authors? They were written in order to teach important religious lessons.

There are no *a priori* reasons therefore why we should not find such prose works of the imagination in the Old Testament. We should not stumble at such literature even if the idea be new to us or repugnant to us. If we have poetic works of the imagination in

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Job, the Song of Songs, and Ecclesiastes, why not prose works of the imagination? If Jesus used imaginary scenes and incidents in his parables, why may not inspired men in times of the Old Testament revelation have used them also?

A careful study of the literature of the Old Testament shows that we have at least three prose works of the imagination in the Old Testament, all written in the times of the restoration.

These are Jonah, Esther, and Ruth.

(I.) *The Book of Jonah* is inserted in both the Hellenistic and the Rabbinical Canons among the minor prophets. And yet the book does not contain discourses of prophecy as do the other minor prophets. If the book of Jonah were history its place ought to have been among the historical books. It is among the prophetical writings with propriety only so far as the story which is contained in it was pointed with prophetic lessons; and for this prophetic purpose it is immaterial whether the story is the real of history or an ideal of the imagination.

The reasons for regarding the book of Jonah as essentially an inspired work of the imagination are these:

(1.) It was not the aim of the writer to write history; the story is given only so far as it is important to set forth the prophetic lessons of the book. There are two scenes, the one on the sea, the other at Nineveh. The story begins abruptly; it closes abruptly after giving the lessons. The transitions in the story are rapid flights of the imagination, and not the steady flow of historical narration.

(2.) The prophet Jonah is mentioned in the history of the book of Kings, and a prediction of minor importance is mentioned as given by him. It seems very remarkable that the book of Jonah, on the one hand, should omit this ministry in the land of Israel, and on the other hand that the author of the book of Kings should give such comparatively unimportant ministry and yet pass over such important prophetic ministry as that given in the book of Jonah.

(3.) The two miracles reported in Jonah are marvels rather than miracles. There is nothing at all resembling them in the miracle working of the Old Testament or the New Testament. They are more like the wonders of the Arabian Nights than the miracles of Moses, of Elijah and Elisha, of Jesus and the apostles. It is true that there are great sharks in the Mediterranean Sea

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which are said to have swallowed men and horses and afterwards to have cast them up. But this being so the chief difficulty remains. How do we explain the suspended digestion of the fish for such a long time, and the self-consciousness of Jonah while in the bowels of the fish, as indicated by his prayer? But even if we could overcome these difficulties by an unflinching confidence in the supernatural power of God to work any and every kind of miracle, the most serious objection would still confront us. It is not so much the supernatural power in the miracle that troubles us, as the character of the miracle. There is in it, whatever way we interpret it, the element of the extravagant and the grotesque. The divine simplicity, the holy sublimity, and the overpowering grace which characterize the miracles of Biblical history are conspicuously absent. We feel that there is no sufficient reason for such a miracle and we instinctively shrink from it, not because of a lack of faith in the supernatural divine power of working miracles, but because we have such a faith in God's grace and holiness and majesty that we find it difficult to believe that He could work such a grotesque and extravagant miracle as that described in the story of the great fish.

So the story of the wonderful growth and withering of the tree is more like the magic of the oriental tales than any of the Biblical miracles. It seems to be brought into the scene as an embellishment rather than for any real purpose of grace. A careful study of the miracles of Holy Scripture excludes this magic tree from their category, and, to say the least, puts it in a category by itself.

(4.) The repentance of Nineveh, from the king on his throne to the humblest citizen, the extent of it, the sincerity of it, the depth of it, are still more marvellous. Nineveh was at that time the capital of the greatest empire of the world. It was a proud and conquering nation, least likely of all to repent. The history of the times is quite well known, and the history makes such an event incredible. Some have endeavored to minimize the repentance as a mere official one, such as were ordered by monarchs during the middle ages. But these apologists forget that, according to the story, God recognized the sincerity and the extraordinary character of the repentance. God granted His grace and recalled His decree of destruction on that account. This repentance is a marvellous event. Nothing like it meets us in

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the history of Israel or the history of the church. Is it not an ideal of the imagination? Jesus uses the story of the repentance of Nineveh to shame the unrepenting cities of his time. There was no historic repentance so well suited to his purpose.

(5.) The prayer given in the book is not suited to it, if the story be historical, but it is entirely appropriate if it be regarded as ideal and symbolical. The prayer is a piece of poetry of two complete strophes concluding each with a refrain, and then half a strophe without a refrain. This shows that the prayer is only a part of a longer piece which must have been complete and symmetrical as we see from the parts given to us. This prayer is a mosaic from several more ancient psalms and prophecies. It is older than the book of Jonah, and has been used by the author as appropriate to his story. This prayer is the prayer of thanksgiving of a man who either in fact or in figure has been drowned in the sea. He has gone down to the bottom; the sea-weed is wrapt about his head; he has then in his departed spirit gone down to the roots of the mountains, has entered into Sheol, the abode of the dead, and has been shut up in its cavern by the bars of the earth. His deliverance has been a resurrection from the dead.

Such figures of speech to represent great suffering of an individual, or of a nation, are found in the psalms and the prophets. Hosea uses the same figure of speech for the exile and the restoration: "I will ransom them from the power of Sheol; I will redeem them from Death." Isaiah and Ezekiel also represent the restoration as a resurrection from Sheol, the abode of the dead, and the rising up of the dry bones from the battlefield of the slain. Now if the descent into the belly of the fish, the abode therein three days, and the casting up again is simply a poetic symbol—is a devouring of Israel by the great sea monster Babylon; if the author had in mind the words of Jeremiah—"Nebuchadnezzar hath swallowed me up like a dragon, he hath filled his belly with my delicates, he hath cast me out" (Jer. li., 34); and if he is thinking of Hosea's words: "After two days he will revive us, in the third day he will raise us up, and we shall live before him" (vi., 2); then it would be appropriate for him to use in the song the symbol of death and resurrection as a parallel to that in the narrative, of the swallowing by the fish, abiding three days in the fish, and casting forth by the fish. The prayer strongly urges the symbolism of the story.

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(6.) It is objected that Jesus in his use of Jonah gives his sanction to the historicity of the story. But this objection has little weight; for we have seen that his method of instruction was in the use of stories of his own composition. We ought not to be surprised therefore that he should use such stories from the Old Testament likewise.

It is urged that Jesus makes such a realistic use of it that it compels us to think that he regarded it as real. But in fact he does not make a more realistic use of Jonah than he does of the story of Dives and Lazarus.

Paul makes just as realistic a use of the story of Jannes and Jambres withstanding Moses; and compares them with the foes of Jesus in his times (2 Tim. iii., 8).

And Jude makes just as realistic a use of Michael, the archangel; contending with the devil, and disputing about the body of Moses, and compares this dispute with the railers of his time (Jude 9).

These stories used by Paul and Jude are from the Jewish Haggada, and not from the Old Testament. No scholar regards them as historic events. If apostles could use the stories of the Jewish Haggada in this way, why should not Jesus use stories from the Old Testament? Jesus uses the story of Jonah just as the author of the book used it to point important religious instruction to the men of his time. Indeed Jesus' use of it rather favors the interpretation of it as symbolic. For it is just this symbolism, that the fish represents Sheol, the swallowing up, death, the casting forth, resurrection, that we have seen in the story of Jonah interpreted by the prayer, which makes the story appropriate to symbolize the death and resurrection of Jesus.

For these reasons the story of Jonah is commonly regarded by modern scholars as an ideal story, a work of the imagination.

We have now to inquire what was the great lesson the book of Jonah was designed to teach. There are, indeed, two lessons, one in each scene of the story. The first part of the story teaches the lesson of Amos (ix., 2–3):

"Though they dig into Sheol, thence shall mine hand take them.
Though they climb up to heaven, thence will I bring them down,
And though they hide themselves in the top of Carmel, I will search and take them out thence.
And though they be hid from my sight, in the bottom of the sea,
Thence will I command the serpent, and he shall bite them."

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It is also similar to the lesson of the Psalmist (cxxxix., 7–10):

> "Whither shall I go from thy spirit?
> Or whither shall I flee from thy presence?
> If I ascend up into heaven, thou art there:
> If I make my bed in Sheol, behold thou art there:
> If I take the wings of the morning,
> And dwell in the uttermost parts of the sea,
> Even there shall thy hand lead me,
> And thy right hand shall hold me."

God has power to bring up from the depths of the sea, from the womb of Sheol, from the belly of the fish, those who turn unto Him, to His holy temple. Israel's calling as the prophet of the nations cannot be escaped. He may be overwhelmed in the depths of affliction; he may descend into Sheol, the abode of the dead; he may be swallowed up by the great monsters who subdue the nations—but God will raise him up, restore him to life, and to his prophetic ministry. Jonah, Pharisaic Israel, may renounce his high calling and perish; but a second Jonah, a revived and consecrated Israel, will surely fulfill it.

But the greatest lesson in the story is in the repentance of Nineveh, and the attitude of Jonah toward that great event. Jonah again represents historic Israel, preaching with sufficient readiness the doom of the nations and watching for the *Dies Iræ* when that doom would be fulfilled. Jonah goes out of the city and selects a good place from whence he may see the grand sight the overthrow of the capital of that nation, which was the greatest foe of his people. But Jonah does not represent the ideal Israel. God has other views than Jonah. He does not look with complacency upon the death of 120,000 babes who do not know enough to do right or wrong. He does not delight in the death of men, but rather in the repentance of men. A million or more human beings gathered in Nineveh, that great capital of the ancient world, cannot perish without giving sorrow to the heart of God. Jonah may delight in such a scene, God cannot.

The repentance of Nineveh changes all. In an instant the decree of destruction is annulled, and divine grace triumphs over the sentence of judgment. This author caught such a wonderful glimpse of the grace of God to the heathen world, that it makes the book of Jonah a marvel in the doctrine of the Old Testament. Jonah was ready to die with mortification that his own preaching had been successful. He wanted the destruction of Nineveh,

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not its repentance. He was willing, like some moderns, to preach as a witness, to testify against sin and proclaim the wrath of God. He could not understand the mercy of God—that God willed the repentance of Nineveh, not its destruction.

Ancient Pharisaical Jews thought that the predictions against the nations must be fulfilled or God could not be a God of veracity and justice. So think some dogmaticians now. But God is a God of grace. God changes his decree of destruction even though men cannot reconcile such change with divine justice and veracity. God is sovereign in his justice as well as in his mercy. The doctrine that God must be just, but may or may not be merciful, is an error that has no basis in Holy Scripture or in a sound ethical philosophy. God is as truly, by necessity of the divine being, merciful as he is just. He is as free in his exercise of the one attribute as the other. He reserves the right to recall his messengers of wrath by the swifter angels of love.

Jonah represents only too well the Jew of Nehemiah's time, the Jew of the New Testament times, and also the Christian Church in its prevailing attitude to the heathen world. If the Roman Catholic Church had learned the lesson of Jonah, its theologians would not so generally have consigned the unbaptized heathen world to hell fire. If the Reformers had understood Jonah there would have been more of them than Zwingli and Cœlius Secundus Curio, who thought that there were some redeemed heathen. If the Westminster divines had understood Jonah they never would have coined those remarkable statements of the tenth chapter of their Confession, in which the entire heathen world and their babes are left out of the election of grace. The present century, brought face to face with the heathen world, is beginning to learn the lesson of Jonah. Jonah is the book for our times. Though written many centuries ago as a beautiful ideal of the imagination to teach the wonderful grace of God in the salvation of repenting heathen and their babes, it has been reserved for the present age to apprehend and apply its wonderful lessons. The repentance of Nineveh is a prophetic ideal.

(II.) *The Book of Ruth* in our Bible is placed between Judges and Samuel, among the historical books. That was the arrangement in the Hellenistic canon, which mingled the apocryphal books with the books of the Palestinian canon. But in the

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Rabbinical canon, which is based on an earlier arrangement, Ruth is placed in the third division, among the miscellaneous and later writings, chiefly poetical. The language of the book is tinged with Aramaic, making it probable that it was not written until after the exile. The book is written in prose with two little snatches of poetry. It has appended to it a genealogical table which did not belong to the original document. The story is a simple and graceful domestic story. It is a charming idyll.

(1.) The scene is put in the times of the Judges, but there is nothing to remind us of that time except certain antique customs which the author thinks it necessary to explain to his readers. There is nothing in the book that reminds us of the times of the Judges, as we see it depicted in the book of Judges. Deborah, Jael, and Jephthah's daughter were the appropriate heroines for that period. But Ruth seems altogether out of place in such rough times. No historian would think of writing such a domestic story as Ruth, as an episode in the history of such a period. Some have sought a reason in the fact that she was an ancestress of David. But there is nothing in the character of the monarchs of the Davidic dynasty that would lead us to suppose that they would encourage a writer to trace their descent from a poor and homeless Moabitess, however excellent her character. The book of Ruth stands by itself in the Hebrew canon of Holy Scripture as a separate writing, and it must be tested by itself without prejudice from the fact that it follows the book of Judges in the order of our canon. The scenery of the story is the time of the Judges, so far as the author's antiquarian knowledge goes; but it is an ideal picture of primitive simplicity and agricultural life in Bethlehem, separated from all that was gross and rude and rough in the real life of those times. The author invents the scenery for his actors and leaves out of it all that would mar its simplicity and detract from its main interest.

(2.) What then is the lesson of this idyll? It is given in the words of Ruth and the words of Boaz. Ruth says to Naomi (i., 16):

> "Thy people shall be my people,
> And thy God my God."

Boaz says to Ruth (ii., 12):

> "May the Lord recompense thy doing,
> And may thy reward be ample from the Lord God of Israel,
> Under whose wings thou art come to take refuge."

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The Moabitess had left her native land and her father's house, as did Abraham of old, and she sought refuge under the wings of the Lord God of Israel. This seeking refuge under the wings of the Lord is a favorite thought of the later psalmists. The exact words of Boaz are found elsewhere alone in the post-exilic ninety-first Psalm.

(3.) This story of Ruth and Boaz, the ancestors of David, is all the more striking that it comes into conflict with a law of Deuteronomy and its enforcement by Nehemiah. Deuteronomy gives this law: "An Ammonite or a Moabite shall not enter into the assembly of the Lord; even to the tenth generation shall *none belonging to them* enter into the assembly of the Lord forever" (xxiii., 3). This certainly excludes Ruth, a Moabitess of the first generation. Nehemiah enforced this law against women. He tells us: "In those days also I saw that the Jews had married women of Ashdod, of Ammon, of Moab; and their children spake half in the speech of Ashdod, and could not speak in the Jews' language, but according to the language of each people. And I contended with them and cursed them, and smote certain of them, and plucked off their hair, and made them swear by God, saying, Ye shall not give your daughters unto their sons, nor take their daughters for your sons, or for yourselves." (Neh. xiii., 23, seq.)

How shall we reconcile this story of Ruth and Boaz with the law of Deuteronomy, and the history of Nehemiah? Different theories have been proposed. We are reminded of another law of Deuteronomy (xxiii., 1) that the eunuch shall not enter into an assembly of the Lord. And yet the great prophet of the exile says: "For thus saith the Lord of the eunuchs that keep my sabbaths, and choose the things that please me, and hold fast by my covenant. Unto them will I give in my house, and within my walls, a memorial and a name better than of sons and of daughters." (Is. lvi., 4-5.)

The book of Ruth and the great prophet of the exile take essentially the same position. They see that the grace of God to eunuchs and Moabites overrides legal precepts, and their zealous enforcement by painstaking magistrates. This seems to give a hint as to the time and purpose of the book of Ruth. It was written probably soon after the return from exile under Joshua and Zerubbabel, in the spirit of the great prophet of the exile,

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to encourage Israelites to take advantage of the imperial decree and return to the Holy Land; and with the special purpose of encouraging those who had married foreign wives, and also the foreign widows of Israelites, to return with their children and seek refuge under the wings of the Lord in rebuilt Jerusalem.

The story is a prophet's story to set forth the doctrine that even a Moabitess would not be rejected by the grace of God. It is an Old Testament parallel to the Syro-Phœnician woman of the New Testament. Though she was a little dog in the estimation of the proud Israelite, she begged for the children's crumbs, lying under the table (Mark vii., 27–28), and she was not rejected. This Syro-Phœnician woman put to shame the mothers of Israel in the time of Jesus; so Ruth, though a Moabitess, is a model for Israel's daughters, and was chosen to be the ancestress of David and the Messiah.

(4.) Although we regard the book of Ruth as a work of the imagination, we do not deny that Ruth and Boaz were historical characters. The historic persons Ruth and Boaz and the events of their courtship and marriage were embellished by the imagination in order to set forth the great lessons of prophecy. Just as Zerubbabel was used in the apocryphal literature to set forth the lesson that truth is mightier than wine, women, and king, so Ruth is used to teach us that the grace of God pushes beyond the race of Abraham and redeems even the Moabitess for whom no provision was made in the law-code of Deuteronomy, or in the discipline of Nehemiah.

(III.) *The Book of Esther* is one of the miscellaneous writings of the Rabbinical canon. In the Hellenistic canon it is placed after the apocryphal pieces of fiction, called Tobit and Judith, as if recognized to be of the same type. The Greek Esther has a number of important insertions which were designed to remove some of the difficulties of the canonical Esther. Esther is not used in the New Testament, and has been regarded in all the centuries as the most doubtful of the biblical books. The language is one of the latest specimens of biblical Hebrew. The style is dramatic, and rapid in its development of incident. Scene after scene springs into place until the climax of difficulty is reached and the knot is tied so that it seems impossible to escape. Then it is untied with wondrous dexterity. All this is the art of the story-teller, and not the method of the historian. The things

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which interest the historian are not in the book. Esther is a didactic story like Ruth and Jonah, Judith and Tobit, and it raises more historical difficulties than can easily be removed. The monarch seems to be Xerxes, the voluptuous and absolute ruler of the Persian empire. The story is one of court intrigue, in which Esther the favorite wife, and her uncle Mordecai, prevail over Haman, the prime minister. The book is connected with the Purim festival, and is supposed to give the historical account of its origin. This is denied by many modern scholars. It is held that Esther is a piece of historical fiction designed to set forth the importance of the Purim festival, as a national feast, and to teach the great lesson of patriotism. It does not by any means follow from the connection of the book with the feast, that the book is historical. Indeed Esther does not explain the Purim feast. It does not give any adequate reason why the Jews of Palestine and Egypt, and of the rest of the world, should celebrate a feast which, according to Esther, was connected with the deliverance of the Jews remaining in exile in the Persian empire, an event less worthy of commemoration than a hundred others. The feast of Purim, in all probability, had another origin than that reported in the story of Esther. Reuss suggests that the origin of the feast was in the victory of Judas the Maccabee over Nicanor, which was to be celebrated on the eighteenth of Adar, the day before the Purim feast of later times. Zunz, Hitzig and others trace the feast to the new year's feast of the Persians, which was appropriated by the Jews when they returned from exile and while they remained under the Persian rule. But it is not necessary to determine its exact origin. Many a Christian feast rests upon ancient unhistoric legends. We need but mention the feast of the Ascension of Mary, the feast of St. Veronica, the feast of the finding of the Cross, and the feast of the Sleepers.

(1.) There is no theology in the book of Esther. The name of God is not used at all, but the name of the Persian King occurs 187 times in 166 verses. Several theories have been suggested for the omission of the divine name. The most plausible one is that the book was to be read at a festival which in ancient times was marked by gross intoxication. A rabbi is said to have killed his friend at such a feast. God the next day raised him to life. The next year the rabbi invited his friend to celebrate the feast

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with him again. The friend declined saying, "God does not work miracles every day." The name of God was not mentioned, according to this theory, for fear that it would be profaned. But might not a sacred book be profaned at such a time even if it did not contain the name of God? Moreover, the Greek additions to Esther use the divine name as freely as in other writings. There is in the Hebrew Esther no theology at all, and no religion, and therefore no occasion for the use of the divine name. One does not miss it unless his attention is called to the fact.

(2.) The morals of Esther are not of the highest order. The morals of the court of Persia are not in question; but the morals of Esther and Mordecai, the hero and heroine of the book, are in question. There is a spirit of revenge in the book that makes it very different from Jonah and Ruth, and the poets and psalmists of the exile and the restoration. Esther is praised for her beauty and tact, but she does not appear as a God-fearing damsel such as Ruth, and she lacks the high sense of honor of the Shulemite. She shares in the revengeful feelings and cruelty of Mordecai. Neither of them seems sensitive to virgin delicacy and womanly virtue. They are ready to sacrifice honor, as was Judith, in the interests of patriotism. One of the Greek additions endeavors to overcome the fault by the insertion of a prayer of Esther, in which she expresses her reluctance to be the paramour of the heathen monarch, and prays God for forgiveness in view of the necessities of the case.

(3.) The religion of the book is conspicuous also by absence. There is fasting, but it does not seem to have a pious motive. These defects are remedied to some extent in the Greek additions. There is no prayer for deliverance and no thanksgiving for it in the Hebrew text, but these are inserted in the Greek version. The one redeeming feature of the book is its patrictism. Esther and Mordecai are heroes of patriotic attachment to the interests of the Jews. For this they risk their honor and their lives. The same spirit is found in Judith, and in a measure in Nehemiah and Daniel. If patriotism is a virtue, and belongs to good morals in the Jewish and Christian systems, then the book has its place in the Bible, as teaching this virtue, even if everything else be absent. No book is so patriotic as the book of Esther. Esther is the heroine of patriotic devotion. She is the embodiment of Jewish nationality, and thus is the

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appropriate theme of the great national festival of the Jews. And in all the Christian centuries Esther has been an inspiration to heroic women, and an incentive to deeds of daring for heroic men. And if, as many signs seem to indicate, woman in the next century is to use her great endowments in a larger measure for the advancement of the kingdom of God, Esther will exert a vaster influence in inspiring her to holy courage and unflinching devotion and service. For granting that patriotism in its narrower sense may be a form of selfishness, yet when patriotism has been transformed into an enthusiasm for humanity, and a passionate devotion to the kingdom of God, it then calls forth those wondrous energies of self-sacrifice with which woman seems to be more richly endowed than man.

Thus Hebrew literature presents us six great works of the imagination, inspired of God to set forth the ethical and religious principles of the Old Testament. Three of these are poetry—Job, Song of Songs, and Ecclesiastes; and three of these are prose—Ruth, Jonah, and Esther. Three of them present heroes for men, three of them heroines for women. Job, the chieftain, Jonah the prophet, and Koheleth the sage; Ruth the devout, Esther the patriotic, and the Shulemite, the loving, faithful virgin. They are the choicest products of the imagination. These beautiful forms of literary art are worthy of inspiration by the Spirit of God. They were neglected and misunderstood in the centuries when ecclesiasticism reigned, and so long as dogmatism crowded ethics from the field; but in these better and more hopeful times when the rich luscious fruits of holy conduct are appearing here and there as tokens of an abundant harvest, these masterpieces of the imagination of the ancient Hebrews are asserting their influence in the ethical elevation and moral inspiration of the men and women of our times.

C. A. Briggs.

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NOTES AND COMMENTS.

WHEN CONGRESS SHOULD CONVENE.

UNDER the present law Congress does not convene in regular session until thirteen months after the election of its members.

There was some apology for such a provision at the time of the formation of our government, for the reason that it then took a long period of time to ascertain the results of elections and to reach the capital from remote parts of the country. But there is no excuse whatever now since the most distant part of the nation is within six days' travel of Washington City.

A bill has been introduced in Congress providing that the first session shall convene on the first Monday following the 4th day of March of the year next succeeding the election of representatives,* and that the second session shall assemble on the first Monday after the first day of January of the year next succeeding.

There are four strong reasons for the passage of such a measure:

1. The lower branch of Congress should at the earliest practicable time enact the principles of the majority of the people as expressed in the election of each Congress. That is why the Constitution requires the election of a new Congress every two years. If it were not to reflect the sentiment of the people then frequent elections would have no meaning or purpose. Any evasion of that rule is subversive of the fundamental principle of our government, that the majority shall rule. No other government in the world has its legislative body convene so long after the expression of the people. During the campaign preceding a Congressional election the great questions that divide the political parties are thoroughly discussed. Under a republican form of government the people are the final arbiters and it is their prerogative to have their sentiments crystalized into legislation. "The voice of the people is the supreme law." It seems trifling with their rights when their mandates cannot be obeyed within a reasonable time.

It is unfair to an administration that the legislation which it thinks so essential to the prosperity of the country should be so long deferred that the time for electing a new Congress should arrive before the operation of the law can have reasonable trial. Within five months after the McKinley tariff was enacted a new Congress was elected with nearly two-thirds Democratic majority.

It is true there may be an earlier convening of Congress, but to effect this the President must resort to the unpopular measure of calling an extra ses-

*It would be better if the first session could convene in January, but a constitutional provision fixes the fourth of March as the beginning of the term of a representative, and hence prevents any earlier date.

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sion. The people are always anxious over the cost of, and the political unrest occasioned by, long or extra sessions of legislative bodies.

2. As the law is at the present time, the second regular session does not commence until after the election of the succeeding Congress. Although the Fifty-fifth Congress has been elected, the Fifty-fourth Congress is still enacting the laws for the people.

As an election often changes the political complexion of a Congress, under the present law, many times we have the injustice of a Congress that has been repudiated by the people enacting laws for the people diametrically opposed to the last expression of the people. Such a condition is an outrage upon the rights of the majority.

A member of Congress can barely get started in his work unti the time arrives for the nominating convention of his district. He has accomplished nothing and hence has made no record upon which to go before his party or his people. This is an injustice both to the member and to the people. The record of a Representative should be complete before he asks an endorsement of his course.

3. Under the present law a Representative in Congress who has been turned down by the people legislates for that people in the second regular session. It is a misnomer to call him a Representative in that session.

A man who has been defeated for re-election is not in a fit frame of mind to legislate for his people. There is a sting in defeat that tends to engender the feeling of resentment which often finds expression in the vote of such members against wholesome legislation. That same feeling often produces such a want of interest in proceedings as to cause the member to be absent nearly all the second session.

Congressmen are not usually men of means. Their Congressional career has resulted in the destruction of their clientage or business. To a defeated member who has relied upon his salary for support, the future looks dark and gloomy. It is then some are open to propositions which they would never think of entertaining if they were to go before the people for re-election. It is then that the attorneyship of some corporation is often tendered and a vote is afterward found in the record in favor of legislation of a general or special character favoring the corporation. If an affirmative vote cannot be had it is often just as important that the member should be absent. If there is ever a time in the history of the man when he will directly or indirectly accept a bribe it is then. There is less chance of detection. He is no longer a political factor. His political enemies no longer watch his course. The opposition newspapers no longer criticise his conduct: "the secret is his own and it is safe."

There are many upright men in Congress who would not be influenced by defeat. But in as large a body as the House of Representatives there must always be some who would yield to temptation. It is a fact that nearly all, if not all, of the legislation that is claimed to have been passed by corrupt influences was enacted during these second regular sessions of Congress.

4. Under the present system a contest over a seat in Congress is seldom ever decided until more than half of the term, and in many instances, until the period of twenty-two months of the term has expired. For all that time the occupant of the seat draws the salary, and when his opponent is seated he also draws the salary for the full term. Thus the government pays twice for the representation from that district. But that is not the worst feature

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of the situation. During all of that term the district is being misrepresented in Congress. If the House of Representatives goes to work on the contested election cases at the very beginning of the term of office, as it would do if Congress met at that time, these cases could be disposed of during the first session. Thus a great saving would accrue to the government and the Congressional district for almost all of the term be properly represented.

Although this measure appears to be one of procedure, the great influence for good which it must exert upon legislation makes it one of the most important acts that could be passed.

JOHN F. SHAFROTH.

THE QUESTION OF SHIPS.

IN the NORTH AMERICAN REVIEW for January Capt. John Codman, condemning with characteristic vigor the mistaken idea of looking to a revival of obsolete differential duties to restore our merchant marine, offers the almost equally obsolete idea of "free ships" as an alternative.

The good captain has been a valiant champion of the "free ship" theory for forty years. His persistence is splendid, but he seems to be oblivious to the fact that the world has been moving in the interval. He is still arguing in effect upon the basis of the conditions of 1855–60. Meanwhile conditions have been revolutionized. It is the United States, not Great Britain, which now stands as the world's first iron and steel manufacturing nation. The American production of pig iron in 1892 was 9,157,000 tons; the British, 6,616,000. From a tugboat to a battleship there is no task of iron-working which American builders are not prepared to undertake, and, indeed, have not undertaken. "Free ship" arguments which should have been convincing in 1861 are now absolutely worthless.

No "war tariff" longer weighs on native shipbuilding. The McKinley law made materials for iron and steel vessels for the foreign trade free of duty. After working up into a four masted clipper a shipload of Scotch plates and beams, Mr. Arthur Sewall, of Bath, the recent Democratic candidate for Vice-President, declared: "I find that I can get all the material on this side cheaper than by going abroad; and so our next ship will be built entirely of American materials." There is distinguished evidence that domestic competition has now brought the price of high class American shipbuilding down to the foreign level, and that a "free ship" law is unnecessary and would be ineffective. It is understood that the "St. Louis" and "St. Paul" would have cost about as much on the Clyde as they cost on the Delaware, and President Huntington, of the Pacific Mail, who has lately received proposals for a first-class steamship from shipyards both here and abroad, is quoted as saying that "the prices of American builders are practically the same as those in England," although "in the best class of vessels American work is superior."

The President of the International Navigation Company, Mr. Clement A. Griscom, declared two years ago in Philadelphia that he and his associate managers of the foremost shipping concern under the American flag could see no benefit in general "free ship" legislation. What the practical men of New England thought about it was sufficiently indicated some time earlier by the adoption of a resolution that: "We, the members of the New England Shipowners' Association, as owners and not as builders of

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vessels, are unanimously and absolutely opposed to free ships." The Cleveland Board of Trade protested against a "free ship" policy on the ground that "it would not only strike a blow at home industries but would be a discrimination in favor of foreign interests."

Under the force of emphatic remonstrances like these from the best maritime authorities of America, Congress of late years has regularly refused to consider a free ship bill, even though in 1891-95 the House was Democratic by from 90 to 140 majority.

Now there must be some powerful reason for this overwhelming hostility to the "free ship" idea on the part of American shipowners. What is it? Captain Codman declares that all the other nations of the world except the United States have repealed their "antiquated registry laws," and "allowed their people to build or buy ships in England." "This practice," he adds, "led to shipbuilding in their own countries in course of time. Consequently, since 1855, shipowning and shipbuilding have increased enormously in every maritime country on the globe, excepting in the nominally free United States, in which they have been driven back to where they were in 1828."

If the simple expedient of "free ships" has led to these brilliant results in all other countries, it is incomprehensible that the resistance of a few shipbuilders, as Captain Codman insists, should have been able to prevent the adoption of the same amazingly beneficent policy in America. But is it true that under "free ships," "shipowning and shipbuilding have increased enormously in every maritime country on the globe," except of course the unfortunate United States?

Official records tell a very different story. The returns of the British Board of Trade show that, beginning with 1860, among the European nations which have "allowed their people to build or buy ships in England," only Norway has made a sustantial increase in its tonnage, and this is due to causes which, as is well known, are wholly exceptional. Norway has the advantage of labor on shipboard which is at once remarkably efficient and remarkably low-priced. There are no better sailors than the Norwegians in the world, but a Norwegian captain earns very little more than an American able seaman and a Norwegian seaman about as much as an American boy. The amazing cheapness with which Norwegian ships are run has enabled them to drive not only the Americans but the British out of several important branches of ocean carrying. Nevertheless "free ships" and cheap labor have not enabled the Norwegians to acquire a great merchant marine in the sense in which Americans or Englishmen would understand it. Norway's tonnage makes a great show on paper, but two-thirds of it is composed of small wooden sailing vessels, many of them relics of the old fleets of America and England. In the tonnage of its iron and steel steamers Norway is far behind the United States. There is not to-day in existence a first-class steamship line under Norwegian colors. Norway's merchant marine has built up no large commerce. It is chiefly employed in the cheap "tramp" trade of other nations. The Norwegian example has no value whatever for the guidance of the United States.

Much more to the purpose is the experience of the other important maritime nations of Europe—Holland, France, Italy, and Germany. Holland has enjoyed what Captain Codman is pleased to consider the inestimable advantage of "free ships." Have its "shipowning and shipbuilding increased enormously" in consequence? On the contrary, the merchant marine of Holland—and the Dutch are as gallant sailors and keen traders as

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there are in Europe—has actually declined from 433,922 tons in 1860 to 294,783 tons in 1893. So with France. "Free ships" here again have proven the same delusion. In 1860 France owned 996,124 tons of shipping; in 1880, 919,298 tons. In 1881 the French government officially recognized the insufficiency and folly of the "free ship" theory by offering an elaborate system of subsidies and bounties to encourage French shipbuilding and navigation. This system is not to be commended in all its details to American imitation, but so far as the French steam marine is concerned it undoubtedly has been successful. The British Consul-General at Havre* reports that "while in 1879 France had only 599 steamers of 255,959 tons, the number had increased in 1888 to 1,015 of 509,800 tons." The steam tonnage of the port of Havre alone had increased from 62,009 in 1880 to 158,215 in 1889.

The same impressive lesson of the futility of "free ships" to maintain a healthy merchant marine is shown in Italy's experience. Referring to the views of Italian statesmen on the results of their "free ship" policy, United States Consul Crain, at Milan, when the subject was under discussion, said:

"Italians have been at liberty for more than twenty years to buy steamships on the Clyde or elsewhere, but this privilege has done nothing for the expansion of the steam marine. The policy of free ships has had a long trial in France, Germany, Austria, and other countries, with no better result. History affords no example of a seagoing people who are not also a shipbuilding people. The industries of shipbuilding and navigation are so welded by a community of interests that they cannot be divorced without mutual destruction."

It may be added that in 1885, Italy, having found "free ships" inefficacious, followed the French example and established a generous system of subsidies and bounties, under which the Italian steam tonnage has increased from 124,600 to 209,472 in 1895-96.

Germany's case only remains to be considered. In 1870 the tonnage of the German merchant marine was 982,355. It had increased to 1,181,525 in 1880, almost altogether by the purchase of foreign vessels, chiefly British and American. But the ambitious Germans, with the new desire for sea power upon them, were not satisfied with this rate of progress. They were not satisfied with the "free ship" policy alone, although a nation which has no shipyards of its own has no recourse but to buy its ships abroad if it would have them. The German protective tariff had immensely stimulated the iron and steel industries of the Empire, and the government set itself systematically to encourage the creation of shipbuilding plants at home. Its first step was to forbid the building of German warships in other than German shipyards. Its second was to offer the enormous subsidy of $1,050,000 a year for a German steamship line to China and Australia; and another of $125,000 for a line to East Africa. Under the influence of these subsidies German shipbuilding has steadily strengthened, until as a shipbuilding nation Germany is now second only to Great Britain and the United States. German tonnage now stands at 1,886,812. With the requirement that all state-aided steamships—and they constitute, of course, the flower of the fleet—shall be built in German shipyards, Germany can no longer be said to give strict adherence to the "free ship" practice. It is a significant fact that that one of the continental nations which has been most successful in

* *The Times*, London, July 19, 1890.

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developing a modern merchant marine is the one which of late years has come nearest to the maritime policy of the United States.

American shipowners are familiar with the general facts of European experience. They know that "free ships" have never created, unaided, a strong native shipbuilding or a symmetrical merchant marine. In France, in Italy, in Germany, they have finally had to have the help of subsidies and bounties. But there is one nation which "free ships" have conspicuously benefited. Captain Codman's vaunted privilege "to build or buy ships in England" has redounded to the immense advantage of England itself. In 1860 the total tonnage of the United Kingdom was 4,658,687. In 1895 it was 12,117,967. During 1894 the enormous new tonnage of 1,046,508 (gross) was launched from British shipyards. Thirteen per cent. of this was built for foreigners.

Is it surprising that American shipowners are irrevocably opposed to a policy which under present conditions could have only the result—if it had any result at all—of playing into the hands of their ancient enemy?

WINTHROP L. MARVIN.

THE AMENITIES OF PHILOLOGY.

NEVER before was there so much enthusiasm manifested in linguistic studies as during the last quarter of the current century, and there is no indication at the present time of a waning interest. Not only have languages been studied in their relation to one another, but dialects have come in for their share in the pursuit of these studies. Nor has our own country been backward in contributing, through its dialectal and various philological associations, its quota to the science of philology. Authors in different parts of the country have written long and (it must be confessed, sometimes) tedious stories in the individual dialects of their respective localities. There are books in the dialect of the negro, as, for example, Thomas Nelson Page's, those in the dialect of the Tennessee Mountains, as, for example, Miss Murfree's books, those in the dialect of the "Georgia cracker," as the stories of Joel Chandler Harris, and a host of others in other parts of the country. These books are almost like the sands of the seashore for number.

So numerous and varied are the local dialects of this country that a contributor to this REVIEW recently ventured the thesis that from the very nature of the diverse and varied character of our local dialects, there can not be any such thing as a great national novel in the United States. While this is, it must be admitted, a somewhat extreme view, to which many do not feel prepared to subscribe, the fact remains that there are marked dialectal peculiarities in the spoken language of certain localities. These dialectal peculiarities, however, are fast disappearing before the onward march of the unifying influence of education, the printing press, and the railroad. When the leavening power of education has permeated the entire population of the country, there will result uniformity of speech, and dialectal variations from the common form will linger but as a tradition.

The dialect authors, in the meantime, are doing the reading public a service in furnishing it with entertaining stories of an elevating character. Some of them at least, as, for example, Page, Harris, and others, are doing literature and science an ulterior service, consciously or unconsciously, in preserving in their books types of a people and their speech which a wave of oblivion is rapidly sweeping away.

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If one will examine the speech of the negro and of the native-born illiterate white, it matters not whether the latter be from New England or from the South, one will find that, barring certain provincialisms peculiar to their respective homes, their language has much in common, and to the student of historic English, it exhibits indisputable evidence of its affinity with the English of the seventeenth century. This is obvious from such words as "handkercher," "ar" (air), "pint" (point), "pison" (poison), "gwine" (going), "arrant" (errand), "cratur" (creature), "arth" (earth), all of which are common alike to the "Yankee dialect" and to the negro dialect. The student who is familiar with the development of the English tongue will at once recognize these as standard according to the *jus et norma loquendi* of the seventeenth century. But in the development of the language, these pronunciations subsequently fell into disuse and were discarded by standard English. They still survived, however, in the lower stratum of society among the poor and illiterate who, denied the privileges and advantages of an education, and therefore ignorant of the most elementary grammatical principles, inherited this speech from their ancestors and handed it down, with but little change, from generation to generation, to their children.

The language of the seventeenth century was brought to America by the early settlers and was taught the slaves, and the tongue which the illiterate negroes then learned to speak they have preserved, without any material change, down to the present generation. Since this is the case, we cannot then be surprised to find upon examination that many of their dialectal pronunciations and locutions are to be traced back to classic authors of an earlier period, yea, even to Shakspere himself. In this sense it is doubtless true that many of the fossilized pronunciations of our illiterates are much nearer the language of, and are more intelligible to, Shakspere and Milton than present standard English.

Every one who has ever heard the old negro preacher giving an "exhortation" at the close of his fervid "sarmon" knows very well that, though the old preacher's heart was all right, and himself on the way to the kingdom, his conscience never troubled him in the least about his loose grammar. Notwithstanding his sanctification and ecstatic anticipation of the joys of the kingdom for which he was bound, he had no conscientious scruples about "axing" his "ole marster" if the latter was at all tardy in offering him any desired help. Perhaps many of those who were so familiar with the lingo of the old preacher never reflected that his language, like his heart, was, after all, not very far wrong, and entirely without precedent when he "axed" for something. He was but obeying the scriptural injunction, which, according to Tyndale's translation, reads: "Axe and it shall be geven you." Nor do they know that he was but following, though unwittingly, the example set by that first English printer, Caxton, who, in the preface to his Æneid of Virgil, used the same expression. If, then, the old preacher blundered, as, according to our modern standard, he did, he at all events blundered in good company.

In Chaucer, "the first finder of our faire langage," as his ardent admirer, Occleve, rapturously called him, we find this same word. Here we find, also, forms now fossilized, such as "kiver," "driv," "holp," "writ," "rid," etc. In "Much Ado About Nothing," Dogberry, though he dislocates the dictionary in speaking of that villain who, he prophesies, would be condemned to everlasting redemption, yet uses grammar which, for his day, was above

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reproach, when he exclaimed: "O that I had been writ down an ass!"

So we must acknowledge that no violence was done to the language, however our sense of propriety may be shocked, when a century or so ago a Londoner remarked to his friend, who came up to the metropolis to see the play of "Orpheus and Eurydice": "You came up to town, I suppose to see Orpheus and *you rid I see*," alluding to the mud with which he was copiously bespattered. It would be difficult to find a more felicitous example of paronomasia in the literature of that period.

Shakspere, who could not resist the temptation to play on words, furnishes us additional proof of his versatility and ingenuity in his apt recognition of the obsolescent pronunciation of many words of his time, which he turned to good account. Hence so many of his witticisms. In "Henry IV.," for instance, *Falstaff* says: "If reasons were as plentiful as blackberries, I would give no man a reason upon compulsion," thus playing upon the old pronunciation of raisins with which we are all familiar. Thus he plays upon the antiquated pronunciation of Rome as room, when, in "Julius Cæsar," *Cassius* says of *Cæsar's* vaulting ambition which o'erleaped itself:

> "Now is it Rome, indeed, and Roome enough,
> When there is in it but one only man."

One of the conundrums of that period, which, by the way, can only have belonged to that period, illustrates the antiquated pronunciation of chair as cheer, still current among the illiterate. "Why is a stout man always happy?" The answer was, "Because he is a cheerful (chair full)."

I venture to give one more illustration, which throws light upon the vulgar pronunciation of neither as "naythe r." Some persons' literary conscience will not let them rest till they settle the question whether they shall say "ither" or "ether" for either. The Anglo-maniacs settle this matter very summarily by adopting the former pronunciation. Some prig of Dr. Johnson's day, who evidently had a tender conscience on the subject, came to the old bear one day and asked him, "Dr. Johnson, do you say ether or ither?" "Naythe r, sir!" was the characteristically brusque reply of the great Cham, a pronunciation still current among the Irish, and occasionally heard among the negroes. This story may not be true—the words are those of an "Angle," not an "Angel"—but it at all events might have been true, and certainly is interesting as throwing light upon a philological subject which, until the recent researches of Ellis into the pronunciation of early English, was enveloped in almost Cimmerian darkness.

EDWIN W. BOWEN.

OBJECTIONS TO A CHILDREN'S CURFEW.

I READ with great interest Mrs. Townsend's article on the "Curfew for City Children," in the December number of the NORTH AMERICAN REVIEW; but may I be permitted to say that it is quite possible to have the welfare of children very much at heart, and yet to oppose strongly this proposed ordinance?

All that Mrs. Townsend says about the prevalence of child crime is perfectly true. During the seven years that I have worked among boys on the lower east side of New York, I have found that the habits of gambling, lying, and stealing were almost universal; but the late hours kept by the

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children on the street is neither the only nor the chief cause of this state of things. Therefore I cannot believe that if the curfew were in force it would lessen the crime among children. It would be, too, almost impossible to enforce it without at once breeding more of the crime it is supposed to prevent.

As the curfew, presumably, is not intended for the benefit of the children of well-to-do and educated parents (who certainly would not be dictated to in the matter of bringing up their own families), we can confine our discussion to those of the poor, ignorant, or vicious, who are, unfortunately, in the majority. These children can be divided into five classes:

1st. Those whose parents are vicious and whose homes are unendurable.

2d. Those whose parents are vicious but whose homes are comfortable according to slum standards.

3d. Those whose parents are good but whose homes are squalid.

4th. Those whose parents are virtuous, and whose homes are comfortable.

5th. The waifs and strays, not in asylums, who have temporary homes, or shelter only, and no (visible) parents.

Mrs. Townsend speaks in her article of the curfew ringing at sundown. That would be between five and six in winter, and seven and eight in summer. That seems very unreasonably early, but if I am not mistaken the bill which was to have been presented at Albany last year called for the ringing of the bell at eight o'clock in winter and nine in summer. This certainly would seem more reasonable.

Let us take the children of the first and second class and see how this ordinance would affect them. In the coldest winter nights, of course, there would be little need to ring a bell to keep them off the streets. Thin clothing and sharp winds would drive them to seek shelter somewhere.

There can be little question but that the shorter the time children of the first class are in their homes the better. The picture that almost anyone can recall to his mind, of the home life of such people—of the two or three stuffy, dirty rooms; the swarms of screaming children; the glare of the gas and the smell of swill; dirty babies and cooking; the excessive heat or cold as the season makes it; the cross mother administering cuffs and curses, and the sodden father drunk, or at least setting a continual example of degradation—is all infinitely worse than the worst scenes of street life. If curfew were to force any children to spend their evenings in such homes as these—and this is not a fancy picture—then curfew would be anything but a reforming element in society.

The conditions for children of the second class would be almost as bad as for those of the first. Comfortable and healthy rooms could not counterbalance the influence of bad parents. In this case also, then, the street with all its evils would be less harmful than the home.

For the third class the physical conditions would be the same as for the first. Would a dirty tenement, with the bad air that is in the best of them, and the cramped quarters, be any better for the growing body, after a day, the greater part of which is spent in school, or in a shop, than the comparative freshness and space of the streets? I am certainly not alone in claiming that a healthily developed body is necessary for healthy morals and minds. The good influence of virtuous, but probably ignorant and overworked, parents would scarcely be strong enough to overcome the bad tendencies of an unhealthy and stunted physical condition.

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The fourth class, it seems to me, would be the only one for which the curfew might operate successfully in some cases. But I have found that these children (most of them) are very willing to stay at home in the evenings. Their parents are usually ambitious for them, and keep them at school longer than poorer people can afford to do, and consequently there are a few hours in the afternoon for fresh air and exercise. In the evenings lessons must be learned, and sometimes there are even games for the children to play. For the few that will not voluntarily stay in such homes as these, would it not be better to redouble our efforts in teaching the parents how to understand their offspring, and how to make their homes happy and attractive to them rather than to force them to stay where they are discontented?

If the curfew were in order, where would the children of the fifth class go after nightfall? There are lodgings put up by philanthropic people for some of them. If these lodgings were all made attractive in the evenings (some of them are) the boys would stay in them willingly enough when they could do so. But most children of this class have to earn their own livings. The boys usually sell papers or black boots. Both of these occupations are carried on very largely at night. If we allow a condition of society to remain which permits children to bear the burdens and responsibilities that men and women find it hard enough to bear, we certainly should not make their lot any harder by lessening their freedom to earn money in any honest way.

During the hot nights of summer—and the New York summer lasts four months—not one of these five classes should be forced to keep indoors. During the long suffocating nights of July and August, and even June and September sometimes, if any one walks through the poorer streets of our city, he will see every stoop covered with the grown-up inhabitants of the tenements. Chairs even are scattered along the sidewalks, whose owners sit in them hoping to catch the first breath of the breeze that never comes. Would the advocates of curfew have the children shut up into their rooms such nights as these? Or in the noisome hallways where, by the way, the chances for mischief are just as great as in the street? Perhaps they think it would be enough if the children were made to sit quietly on the stoops with their parents. That might be a little difficult to manage, however; for even the heat does not check the energy of youth.

Of course it is horrible to think that the streets, bad as they are, are the *best* thing that many of our children have. But so is it horrible that thousands and thousands of people, young and old, must spend their summers in a city, and in slums at that; that honest parents by working ten or twelve hours a day can only provide a home that it is best for their children to be in as little as possible; that parents with the finest natures and the most earnest wishes through ignorance drive their children into the very lives they would die to save them from. The late hours on the streets do not constitute the only wrong our civilization allows to exist.

In the beginning I spoke of the difficulties that would stand in the way of enforcing this ordinance, supposing it to be desirable. If children are not happy in their homes no amount of laws will keep them there. The curfew would simply be one more law to exercise their ingenuity in breaking. Presumably exceptions would be made in enforcing this ordinance in the cases of children sent on errands by their parents, or who were on their way to the clubs and classes which happily are (in the Tenth Ward of New

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York City at least) increasing rapidly in number every year. If curfew were in force then, every boy on the street who hadn't just been sent to get medicine for his sick father would be on his way to some highly improving society, and those who could tell the lie with the straighest faces, and could best simulate an expression of real piety or sympathy for the sick parent would be allowed to go on their way unmolested. It would simply put a premium on lying, and the police force would have to be doubled at least. And supposing some children were found night after night on the streets, and the club or sick parent stories were proven to be nothing but lies, where would they be sent? Do the advocates of curfew realize that the mere fact of being arrested makes a boy lose caste among the better class of his associates? Everyone knows the power of suggestion. Arrest a boy and call him a lawbreaker, and he is just one step nearer to becoming one in fact. And yet there is nothing intrinsically wrong in playing on the streets. Nature places the child there for want of better conditions in which to exercise his imagination and his muscles; and then we make a law which, in obeying nature, he must break. That done, we propose sending him to some institution where his associates will be youthful thieves and gamblers; even if sent to the "Truant Home," it would be away from the very parents and home the ordinance was erected to keep him with.

The trouble lies deeper than this.

Until the day comes when every one by honest work can have at least a decent home, and little children do not have to help support themselves and their families, let us go among these people and organize more clubs and classes which the children—boys and girls alike—love. Let us go on summer evenings, those of us who must remain in town, and organize street gangs, and be ourselves the leaders of them. Show them that there are many things more amusing at least than making raids on Dago stands, punching each other's heads, or even playing the fascinating game of "craps." All healthy children prefer to be honest and good. But in the conditions in which they now live, they must be shown the way.

WINIFRED BUCK.

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